

AMERICAN RAILROAD JOURNAL, AND ADVOCATE OF INTERNAL IMPROVEMENTS.

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D. K. MINOR, EDITOR.]

SATURDAY, FEBRUARY 23, 1833.

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AMERICAN RAILROAD JOURNAL, &c.

NEW-YORK, FEBRUARY 23, 1833.

I some time since made a proposition that, when the subscription list numbered 1500 I would add a *Mechanics'* department also to the Journal; and although I have not realized as great an increase as was anticipated, I shall very soon redeem, to its full extent, that promise.

Arrangements have been made which will enable me to render the Journal all that I have ever promised; I therefore trust, that the patrons of the Journal will not suspect, because I have announced my intention to publish monthly a *Mechanics' Magazine*, that I intend to desert the Journal, or relax my exertions to make it valuable. The Journal will contain very nearly all that will appear in the *Magazine*. I find I cannot induce those who want a *Mechanics' Magazine* to believe that they would obtain their wishes by taking a *Railroad Journal*; hence the necessity, if I intend to meet their views, and supply their wants, of publishing a monthly work to be called the *Mechanics' Magazine*; and that I may do so to the entire satisfaction of those for whom it is designed, and with credit to myself, I have secured the aid of a gentleman who was for several years engaged in publishing the *London Mechanics' Magazine*—a work of great merit and extensive circulation. He will also give his attention to the *Railroad Journal*. With this increased expenditure on my part, may I not anticipate renewed exertion by the friends of the Journal to extend its circulation? (at least a prompt remittance from those who have not yet done so for the second volume!)

D. K. MINOR.

In a few instances the Journal has been returned without the name of the subscriber upon it, and consequently, we know not whose to discontinue.

We have commenced, and intended to have given entire, the Report of the New-York canal commissioners, but its length has compelled us to divide it—the remainder will be given next week. From this Report it appears that very extensive repairs have been made upon the canals during the past year—many temporary structures have been replaced by permanent ones, and considerable progress has been made in rendering their navigation better, and interruptions less frequent, than heretofore. The expenditures must necessarily be heavy for several years yet, until the whole has had a thorough repair.

To the Editor of the Railroad Journal.

Sir—I understand that measures are about to be adopted by your Corporation to make an experiment of *MAdamizing* a small part of some one of your streets. This is as it should be, or rather as it should have been long since. I have often, when in the city, made the enquiry, why the present mode of paving and *high crowning* streets is still retained, when another and far better mode could so easily be adopted, but have never yet met with any one who could give me a satisfactory answer. Will you therefore do me the favor to make the inquiry through your Journal?

A PRACTICAL ROAD-MAKER.

We have also understood that the Street Commissioner has submitted to the Corporation a plan for making an experiment with a view of improving our streets—and have no hesitation in saying that there are few subjects more deserving of their serious attention, and prompt action, than that of regulating and improving the streets. It may well be said, we apprehend, that more attention to the formation of the surface of the streets already made, and less to the construction of new ones, would be more acceptable to a large portion of our citizens.

The present mode of forming the surface of the streets appears to us very objectionable. The unnecessary rise, from side to centre, of from 8 to 14 inches, in a street of 15 to 30 feet wide, is out of all just proportion. We contend, and have the very best authority for so doing, that the rise should never exceed, even in a 30 foot track, three inches, which is ample, if the surface is properly formed to answer all purposes for which such rise is designed. With a crown of three, or even four inches, every

part of the street may be used with equal safety—but now from necessity only are the sides, constituting at least one half of the street, used at all, and for the best possible reason—there is danger in using them. In consequence of this difficulty, the entire travel, or nearly so, comes upon the centre of the street, which is of course much sooner destroyed than it would have been if the travel had been equally distributed over all parts of its surface.

Another and a very serious objection exists in the present mode of draining the streets. Can there be a more inconvenient and uncomfortable mode of getting rid of the surplus waters than the present? Is there no way of dispensing with the present unsightly, carriage destroying cross-drains, which occur at almost every cross street? Is there not talent and enterprise enough in New-York to devise some other and better method of effecting the same object? It appears to us that the subject is one of sufficient importance to attract the attention of men competent to effect an improvement, and introduce a better mode of construction. The surface of our streets should vary but little from a level, and be so smooth that they can be swept clean—and not, as they are usually swept, leaving more loose dirt than the sweepers found; and this may be effected, too, with very little if any more expense than is now, once in ten years, appropriated to repaving. This is a part of the business which requires very little investigation. It has been thoroughly tested by experienced engineers, and may now with safety be adopted without the least fear of the funds being misapplied.

It is, however, desirable, if the *Fathers* are not yet convinced of the superiority of *MAdamized* streets over pavements, that an experiment should be made in one of the great thoroughfares of the city, that all may satisfy themselves of its superiority.

We have now in our possession, and shall republish in our next number, a report made by CASPAR W. WEVER, Esq. upon a work of the kind recently under his care in the city of Washington, which may be interesting to some of our readers. We also hope to obtain within a few months some account of the latest improvements in this branch of road-making.

Annual Report of the Canal Commissioners of the State of New-York.

ALBANY, January 17, 1833.

The Hon. Chas. L. Livingston, Speaker &c.

Sir,—Herewith is transmitted to the Honorable the Assembly the Annual Report of the Canal Commissioners.

With respect, your obedient servants.

S. VAN RENSSELAER,

S. YOUNG,

W. C. BOUCK,

JONAS EARLL, Jr.

REPORT, &c.

To the Legislature of the State of New-York.

The Canal Commissioners, pursuant to Chapter ix, Title 9, Article 2d, of the First Part of the Revised Statutes, respectfully submit their

ANNUAL REPORT.

The day fixed upon by the Commissioners for the commencement of navigation upon the Erie, Champlain, Oswego, and Cayuga and Seneca Canals, was the twentieth of April last: but in consequence of the injury done to canals by the spring floods, it was found to be impracticable to have every part of them navigable before the twenty-fifth.

The canals were frozen, so as to prevent navigation, about the twentieth of December. The navigation was interrupted by ice at some places on the canals before that time; but not so as to prevent boats from reaching their places of destination. Most of the persons engaged in navigating the canals had discontinued running their boats before the commencement of freezing weather; and but few boats were actually engaged in the transportation of property at the time the canals closed.

The flood of last spring, which took place early in the month of March, while the ice was very strong, removed it from the Schoharie creek and Mohawk river with destructive and unusual violence, and either carried away or materially injured about one hundred and fifty feet of the dam across the former stream, and about one hundred and twenty feet of the dam across the latter stream, below the Cohoes falls.

The dam across the Schoharie creek was so much injured, that there was danger of its being carried away by any succeeding flood. Under these circumstances, there appeared no alternative but to repair it immediately; and the work was commenced under very appalling circumstances. The weather was extremely cold; and back water from the Mohawk river, occasioned by dams of ice, continued the water in the Schoharie creek, for some distance farther up than where the dam is located, to an elevation corresponding with but little variation from a level with the top of the dam.

It will readily be perceived, that to commence this repair under such circumstances was formidable in the extreme, both as it regarded personal consequences, and the great expense which would unavoidably attend it: but it was commenced with great spirit, and by steady perseverance, was speedily accomplished. The north end of the dam, from the direction with which it crosses the stream, was more exposed to the influence of the ice and floods than other parts of it, and had become much weakened. The ice broke and carried away the range stick and rafters; and the water passing under the dam, wore a channel about twenty feet deeper than the original bottom. This was repaired with trees, brush, stone and gravel.

The second flood, which took place about the first of April, carried away about one hundred feet of the dam, adjoining that part of it which had been repaired but a short time previous. The repair of this breach was also effected before the opening of the navigation.

In the month of July last, at a low state of water, the dam was examined, and it was found that the water had undermined the apron in several places; that piles on which it rested had been removed; and the general appearance of the dam was such as to create great doubts whether it could be maintained for any considerable length of time. The repairs which had been made in the spring were of such a character

as to render it necessary to rebuild a part of it, for the purpose of forming an apron, and making a suitable top covering to render the passage of water over it secure. Although, at a large expense, it might have been practicable to maintain the dam for a few years longer, yet when it was considered that a failure of this dam, either in the spring or during the season of navigation, would entirely interrupt the navigation of the Erie Canal for twenty-four miles, and that the expense of repairing it would have amounted to nearly one half the sum which would make a new dam, prudence seemed to dictate that such an important portion of the public works should not be subjected to this contingency. A new dam of trees, brush, stone and gravel, with stone abutments of masonry at the ends, has been constructed a few rods farther down the stream.

The direction of the new dam is nearly at right angles with the stream, and will more equably receive the force of ice from above. The north end is thrown about three hundred feet down the stream, which will lengthen the pond above, and materially lessen the current in the boat channel when the creek is high. The present dam is an excellent structure, perhaps not inferior to any thing of the kind. The difficulty which has usually attended this kind of dam, when a rapid current is passing over it, and removing the gravel and displacing the brush, has been obviated by covering about twenty feet of the upper part of it with white oak plank, eight inches thick at one end, and four at the other, securely fastened with iron bolts to four range timbers of hard wood placed in the dam for that purpose. The dam is six hundred feet long; nearly ten feet high; and contains fifteen thousand cubic yards of timber, brush, stone and gravel.

The breach in the dam across the Mohawk river, above referred to, was repaired in the month of July. Until this was repaired, the navigation of the Champlain canal was, to some extent, interrupted; but every practicable accommodation was furnished at the expense of the State, by men and scows to carry horses across the stream, and to assist in towing the boats. The inconvenience of crossing was very essentially increased by the loss of nearly five hundred feet of the towing-path bridge, which was also carried away by the flood. The bridge has been rebuilt by the Cohoes Bridge Company, who, by their contract, are bound to maintain it; and the usual facilities for navigation were entirely restored in the month of September.

The Commissioners, on several occasions, have been under the necessity of noticing failures in this dam. It is made of logs resting on a rock foundation, but the small quantity of timber used in the dam, and a defect in the manner in which it was made, rendered it at all times rather a feeble structure. The vexatious interruptions which have already been experienced in the navigation, the annual expense in repairing breaches, and the hazardous condition of the work, justify, it is believed, the erection of a new dam. This has been determined upon, and contracts will be made for the delivery of materials next May, and a new dam will be built in the course of the next season. The length of the dam is seventeen hundred feet, and the average height about eight feet.

A great body of ice, which was brought down the Mohawk river in the March freshet, lodged against the bridge which crosses that stream at Schenectady, and extended in an apparently solid mass about two miles up the river. This obstruction continued until the freshet in April, and so effectually closed the channel of the river as to raise the water above its banks. The water made an entire breach through the banks near the first lock above Schenectady, and inundated the extensive flat on the south side of the canal. The banks of the canal, and the railroad embankment connected with it near the city, formed a barrier until the water was elevated to a higher level, when it passed over these banks, and wore a channel in some places

to a great depth, and formed an outlet to the river for the great body of water which had accumulated. In its discharge, it produced great destruction of private property, by carrying off fences, boats, and houses. The injury to private property was very great, and the expense of repairing the public work was about ten thousand dollars.

The piers of the aqueducts across the Mohawk river below Schenectady, were protected by ice-breakers. The force of the ice in passing off the freshet of last spring almost entirely demolished them, and in two instances the piers were considerably broken. This protection is indispensable to the security of the aqueducts, and has been restored during the past season.

Arrangements have been made to afford additional security to the lower aqueduct, by sinking additional piers above it. If the ice should be sufficiently strong this winter, the work will be done before the spring floods. Entire new trunks have been placed on these aqueducts during the last winter and spring, and these structures are now in an excellent condition.

In addition to these aqueducts, which, combined, are eighteen hundred and eighty feet in length, new trunks have been placed on five others west of Schenectady, which altogether are seven hundred and fifty feet in length.

The aqueduct that crosses the Oriskany creek was damaged by the flood of last spring. A road bridge, which stood a short distance above, was carried down against the aqueduct, and with other timber formed a dam, which prevented a free passage for the water under the aqueduct. The consequence was, that where the water found a passage, it removed the earth from the bottom of the creek to a great depth, and undermined some of the abutments of the aqueduct. The aqueduct was immediately repaired so as to be used; but the trunk could only be made of sufficient width to admit the passage of a single boat. The abutments have been rebuilt, so as to have a trunk placed upon them wide enough for boats to pass each other. The materials for the trunk are procured, and it is intended to have it finished in time for spring navigation. An arrangement was made with the commissioners of highways, by which the abutments of the road bridge are placed the same distance apart, and directly above those of the aqueduct. This arrangement will give a free passage for water and timber under the aqueduct, and add to its security.

The aqueduct over the Oneida creek was built of stone which has crumbled. The arches in several places are cracked so as to admit the passage of water through them. Braces of stone masonry were erected several years since, for the purpose of supporting this aqueduct. Before the commencement of navigation last spring, a wooden trunk of two hundred and thirty feet in length, and of sufficient width to admit the passage of boats, was put into this aqueduct, for the purpose of preventing the leakage of water through it, and of making the navigation more safe.

A wing wall and an abutment of the aqueduct over the Butternut creek failed during the last winter. They have been rebuilt in a permanent manner.

The towing-path bridge at the junction of the Oswego with the Erie canal was rebuilt before the commencement of spring navigation. This bridge is four hundred feet in length.

A waste-weir of stone has been built on the Camillus level in place of one of wood; also a towing-path bridge over it. The length of the waste-weir and bridge is one hundred and sixty feet.

A new towing-path bridge, fourteen hundred and forty feet long, has been built over the Seneca river, in place of the old bridge which had become unsafe.

The lock near the aqueduct over Mud creek, in the town of Lyons, has been rebuilt. The old lock, which had become unfit for use, was taken down immediately after the close of navigation in December, 1831. The new lock was ready for use at the commencement of

spring navigation; and although it was built at an unfavorable season of the year, it will probably be as durable as any lock on the canal. The materials used in its construction were of the best kind, and the masonry was well executed. The expense of building locks and aqueducts at the season when the canals are not navigable is much greater than it would be during the season of navigation; but it is important to the interests of the State, that repairs of this kind should be made at such times as not to interrupt the business on the canals. Several of the other locks between the Seneca and Genesee rivers require a large annual expenditure to keep them in repair. Some of them will probably have to be rebuilt in the course of a few years, in consequence of the unfitness of the stone used in their construction.

The aqueduct over Mud creek, near the village of Palmyra, has been in part rebuilt, and the trunk made wider, so that boats can pass each other in it.

In the month of March last, the water in the Genesee river rose to such a height as to break through and carry away the west bank of the Genesee feeder in a number of places. The water likewise passed over the lock and pier at the head of the feeder, and cut a channel through the embankment between the lock and the high ground east of it. Such quantities of water passed from the river into the canal as to fill it to overflowing. The superintendent of repairs had the banks of the canal cut through in several places, which he selected as most favorable for letting off the water, to prevent breaches at other places where much damage might have been done. Heavy expenses have been incurred to repair the injury, and to guard against a similar occurrence. The lock, pier and banks of the feeder, have been raised so high as to prevent the water from passing over them, if it should again be as high as it was last spring, which is unusual.

The aqueduct over the Genesee river was much injured by frost last winter. When the water was drawn off for spring repairs, it was discovered that the flagging over the crown of every arch had been displaced by the frost. The flagging stone were removed from the bottom of the aqueduct, and the old mortar and grout were taken out, and a new supply, which was made strong with water lime, put in. The flagging stone were then replaced; and the bottom, after being swept, was grouted with a heavy coat of water lime grout, and the sides of the walls were pointed. The aqueduct has leaked less since this repair than at any time before.

The spring flood carried away the embankment of the weigh-lock at Rochester. The race-way to carry the water from the lock into the Genesee river was filled up, so that the lock could not be used for a time. And during the summer, the scales of the weigh-lock were broken, by weighing a heavily laden boat. This lock is built of wood. It leaks so as to waste large quantities of water, to the injury of navigation in a dry time. It is found to be difficult to stop the leakage. The frame over the lock, which supports the scales, is so weak that it is difficult to weigh boats with heavy cargoes accurately. It is necessary that the lock and frame should be rebuilt.

A waste-weir, one hundred and six feet in length, has been built at the deep hollow two miles west of Rochester; one at King and Adams' basin, one hundred and sixteen feet in length; and one at Brockport, one hundred and twelve feet in length. These waste-weirs are all built of stone and water lime, and are substituted for those of wood.

A stone wall has been built at the deep hollow west of Rochester, one hundred and fifty-four feet in length, and eleven feet in height, to support the embankment.

Much injury was done to the public works at Lockport last spring. The water in the Tonawanta creek rose to such an unusual height as to pass over the guard-lock and embankments

at Pendleton. It also carried away a dam which had been built to keep the waters of the little Tonawanta, or an arm of the principal creek, which connects with the canal below the guard-lock, from passing into it. The water passed down the canal in large quantities, carrying with it saw-logs and other timber from the creek. The flagging in the bottom of the upper locks was torn up by the water and timber. Forty-five feet in length of the wall to the raceway near the locks was broken away; the earth was carried away from the south side of the two upper locks, and a channel forty feet wide, and from fifteen to twenty feet deep, was cut from thence to the basin at the foot of the locks. Injury was also done to the towing-path between Lockport and Pendleton, by washing away the timbers and earth. These injuries have all been repaired, and the works put in as good a condition as before. The guard-gates and embankments of the guard-lock have been raised, and the dam across the little Tonawanta has been rebuilt to prevent injuries in future.

The race-way to carry the water to the lower level at Lockport, which was commenced before our last annual report has been completed.

There is some difficulty in navigating the canal with boats that are heavily loaded, between Lockport and Pendleton, through a part of the deep earth cutting, for the want of a sufficient depth of water in a dry time. Some of this canal was never excavated to the depth intended. The banks in some places have slid in, and quicksand has come in at the bottom in other places. It has been necessary for purposes of navigation, for several years past, to raise the dam at the mouth of the Tonawanta for a part of the season. This occasions the overflow of land on the banks of the creek, and is thought to be injurious to the health of the inhabitants on its borders. Large quantities of earth have been taken from the bottom of this canal, since the water was first let into it. During the last season more than five thousand cubic yards were taken out, by the use of scrapers that operated under water. The difficulty is not yet entirely overcome. Since the close of navigation the water has been drawn off, for the purpose of finishing this work the present winter if practicable.

Stone have been placed along the outside of the bank of the canal between Tonawanta and Black-Rock, at places where it had been injured by being washed by the Niagara river.

The pier of the Black-Rock harbor was broken through by ice in several places last spring. The largest of these breaches was nearly opposite to the entrance of the canal from Buffalo into the harbor. At this place the pier was carried away to the bottom for a considerable length. In the construction of this pier, timbers were framed together in cribs, and sunk to the bottom and filled with stone. The ice, which frequently comes against the pier in large pieces and with great force, breaks away the timbers; the stone then fall out, and such a current is formed through the breach as in some cases to remove all the timber and stone to the bottom. In repairing these breaches the last season a new course has been pursued. The breaches have been filled with heavy stone, without the use of any timber. This is found to be a cheaper method of repairing; and it is believed that a pier thus constructed will more effectually resist the action of the ice upon it than one in which timber is used. In addition to repairing the breaches, large quantities of stone have been placed upon and by the side of the pier and icebreakers, to render them more secure.

A pier has been constructed at the foot of the dam at Black Rock harbor, twelve feet wide, and eighteen feet from the dam. The space between the pier and dam has been filled with stone to the surface of the water. This work extends from the ship-lock to Squaw Island, a distance of three hundred and seventy-five feet; it is thirty feet wide, and about nine feet deep. The work was done under a

contract with the lessees of the surplus water at this dam, and only a part of the expense was paid by the State. It adds greatly to the strength and security of the dam. The ship-lock has been raised one foot, and strengthened. The embankment or dam at the head of the lock has also been raised.

During the last winter and spring, the guard-lock on the Champlain canal, at the Saratoga dam, has been rebuilt of stone in a very substantial manner. It was ascertained on a close examination, that the guard-lock on the north side of the Mohawk river (now of wood) was so far decayed as to render it unsafe. Arrangements were made during the past season to rebuild this lock of stone masonry, and about two thirds of the work has been done.

The sloop-lock, the dam across the Hudson river, and the apron connected with it above the city of Troy, have undergone a considerable repair during the past season. The work is not completed, but sufficient has been done to render these structures secure.

The Glen's Falls feeder has been in a navigable state for the two last seasons, although there have been some interruptions by failures in the locks, and the difficulty growing out of that part of the feeder which is located on a limestone rock containing large fissures, which have been troublesome, and are very difficult so entirely to close as to prevent the water from occasionally passing through the bottom in large quantities. The condition, however, of the feeder and its appurtenances has been much improved; and there is reason to believe, that not only the navigation of the approaching season will be much better than at any former period, but that the expenses (which have hitherto been considerable) will be diminished.

The value of this improvement to that part of the country whose products pass upon it can be best estimated by stating the amount of property which passed upon it during the last season of navigation, and the amount of tolls collected. The collector at Fort Edward was directed to furnish a statement of the amount and kind of property which passed on the feeder, and the amount of toll collected. He reports that the amount of toll received is \$7,803.99; and his statement, which is hereto annexed, gives the amount and kinds of property.

The navigation upon the Oswego canal has been uninterrupted, during the whole of the season that the other canals were navigable.

One of the largest dams on the Oswego river was undermined by the water, in consequence of the apron's being broken away by the last spring floods. It settled at one end so as to impair the navigation when the water was low. It has been thoroughly repaired, and is now considered secure.

The work on the towing-path embankment by the side of the Onondaga lake, which was commenced before our last annual report, has been continued, and is nearly completed. The injury to this embankment from the ice last spring was much less than the spring before; and it is believed that, when the work which is now in progress is finished, this embankment will be secure against the operations of the ice from the lake.

The towing-path along the Oswego river was so low in many places that the high water in times of flood overflowed and washed it away. Much expense has been incurred in raising this towing-path, to secure it against future injury.

The navigation on the Cayuga and Seneca canal has, for a short period during the past season, been incommenced by low water in the outlet of Seneca lake, between Waterloo and Seneca falls; and also in the outlet near the foot of the lake. In the former case the levels became depressed, in consequence of the great quantity of water drawn to mills situated on two dams crossing that stream.

The same difficulty occurred in 1829; and it was then intimated, that to secure the navigation from a recurrence of this inconvenience, it would be necessary "to place a permanent

Annual Report of the Canal Commissioners of the State of New-York.

ALBANY, January 17, 1833.

The Hon. Chas. L. Livingston, Speaker &c.
Sir,—Herewith is transmitted to the Honorable the Assembly the Annual Report of the Canal Commissioners. With respect, your obedient servants.

S. VAN RENSSELAER,
S. YOUNG,
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REPORT, &c.

To the Legislature of the State of New-York.

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The direction of the new dam is nearly at right angles with the stream, and will more equably receive the force of ice from above. The north end is thrown about three hundred feet down the stream, which will lengthen the pond above, and materially lessen the current in the boat channel when the creek is high. The present dam is an excellent structure, perhaps not inferior to any thing of the kind. The difficulty which has usually attended this kind of dam, when a rapid current is passing over it, and removing the gravel and displacing the brush, has been obviated by covering about twenty feet of the upper part of it with white oak plank, eight inches thick at one end, and four at the other, securely fastened with iron bolts to four range timbers of hard wood placed in the dam for that purpose. The dam is six hundred feet long; nearly ten feet high; and contains fifteen thousand cubic yards of timber, brush, stone and gravel.

The breach in the dam across the Mohawk river, above referred to, was repaired in the month of July. Until this was repaired, the navigation of the Champlain canal was, to some extent, interrupted; but every practicable accommodation was furnished at the expense of the State, by men and scows to carry horses across the stream, and to assist in towing the boats. The inconvenience of crossing was very essentially increased by the loss of nearly five hundred feet of the towing-path bridge, which was also carried away by the flood. The bridge has been rebuilt by the Cohoes Bridge Company, who, by their contract, are bound to maintain it; and the usual facilities for navigation were entirely restored in the month of September.

The Commissioners, on several occasions, have been under the necessity of noticing failures in this dam. It is made of logs resting on a rock foundation, but the small quantity of timber used in the dam, and a defect in the manner in which it was made, rendered it at all times rather a feeble structure. The vexatious interruptions which have already been experienced in the navigation, the annual expense in repairing breaches, and the hazardous condition of the work, justify, it is believed, the erection of a new dam. This has been determined upon, and contracts will be made for the delivery of materials next May, and a new dam will be built in the course of the next season. The length of the dam is seventeen hundred feet, and the average height about eight feet.

A great body of ice, which was brought down the Mohawk river in the March freshet, lodged against the bridge which crosses that stream at Schenectady, and extended in an apparently solid mass about two miles up the river. This obstruction continued until the freshet in April, and so effectually closed the channel of the river as to raise the water above its banks. The water made an entire breach through the banks near the first lock above Schenectady, and inundated the extensive flat on the south side of the canal. The banks of the canal, and the railroad embankment connected with it near the city, formed a barrier until the water was elevated to a higher level, when it passed over these banks, and wore a channel in some places

to a great depth, and formed an outlet to the river for the great body of water which had accumulated. In its discharge, it produced great destruction of private property, by carrying off fences, boats, and houses. The injury to private property was very great, and the expense of repairing the public work was about ten thousand dollars.

The piers of the aqueducts across the Mohawk river below Schenectady, were protected by ice-breakers. The force of the ice in passing off the freshet of last spring almost entirely demolished them, and in two instances the piers were considerably broken. This protection is indispensable to the security of the aqueducts, and has been restored during the past season.

Arrangements have been made to afford additional security to the lower aqueduct, by sinking additional piers above it. If the ice should be sufficiently strong this winter, the work will be done before the spring floods. Entire new trunks have been placed on these aqueducts during the last winter and spring, and these structures are now in an excellent condition.

In addition to these aqueducts, which, combined, are eighteen hundred and eighty feet in length, new trunks have been placed on five others west of Schenectady, which altogether are seven hundred and fifty feet in length.

The aqueduct that crosses the Oriskany creek was damaged by the flood of last spring. A road bridge, which stood a short distance above, was carried down against the aqueduct, and with other timber formed a dam, which prevented a free passage for the water under the aqueduct. The consequence was, that where the water found a passage, it removed the earth from the bottom of the creek to a great depth, and undermined some of the abutments of the aqueduct. The aqueduct was immediately repaired so as to be used; but the trunk could only be made of sufficient width to admit the passage of a single boat. The abutments have been rebuilt, so as to have a trunk placed upon them wide enough for boats to pass each other. The materials for the trunk are procured, and it is intended to have it finished in time for spring navigation. An arrangement was made with the commissioners of highways, by which the abutments of the road bridge are placed the same distance apart, and directly above those of the aqueduct. This arrangement will give a free passage for water and timber under the aqueduct, and add to its security.

The aqueduct over the Oneida creek was built of stone which has crumbled. The arches in several places are cracked so as to admit the passage of water through them. Braces of stone masonry were erected several years since, for the purpose of supporting this aqueduct. Before the commencement of navigation last spring, a wooden trunk of two hundred and thirty feet in length, and of sufficient width to admit the passage of boats, was put into this aqueduct, for the purpose of preventing the leakage of water through it, and of making the navigation more safe.

A wing wall and an abutment of the aqueduct over the Butternut creek failed during the last winter. They have been rebuilt in a permanent manner.

The towing-path bridge at the junction of the Oswego with the Erie canal was rebuilt before the commencement of spring navigation. This bridge is four hundred feet in length.

A waste-weir of stone has been built on the Camillus level in place of one of wood; also a towing-path bridge over it. The length of the waste-weir and bridge is one hundred and sixty feet.

A new towing-path bridge, fourteen hundred and forty feet long, has been built over the Seneca river, in place of the old bridge which had become unsafe.

The lock near the aqueduct over Mud creek, in the town of Lyons, has been rebuilt. The old lock, which had become unfit for use, was taken down immediately after the close of navigation in December, 1831. The new lock was ready for use at the commencement of

spring navigation; and although it was built at an unfavorable season of the year, it will probably be as durable as any lock on the canal. The materials used in its construction were of the best kind, and the masonry was well executed. The expense of building locks and aqueducts at the season when the canals are not navigable is much greater than it would be during the season of navigation; but it is important to the interests of the State, that repairs of this kind should be made at such times as not to interrupt the business on the canals. Several of the other locks between the Seneca and Genesee rivers require a large annual expenditure to keep them in repair. Some of them will probably have to be rebuilt in the course of a few years, in consequence of the unfitness of the stone used in their construction.

The aqueduct over Mud creek, near the village of Palmyra, has been in part rebuilt, and the trunk made wider, so that boats can pass each other in it.

In the month of March last, the water in the Genesee river rose to such a height as to break through and carry away the west bank of the Genesee feeder in a number of places. The water likewise passed over the lock and pier at the head of the feeder, and cut a channel through the embankment between the lock and the high ground east of it. Such quantities of water passed from the river into the canal as to fill it to overflowing. The superintendent of repairs had the banks of the canal cut through in several places, which he selected as most favorable for letting off the water, to prevent breaches at other places where much damage might have been done. Heavy expenses have been incurred to repair the injury, and to guard against a similar occurrence. The lock, pier and banks of the feeder, have been raised so high as to prevent the water from passing over them, if it should again be as high as it was last spring, which is unusual.

The aqueduct over the Genesee river was much injured by frost last winter. When the water was drawn off for spring repairs, it was discovered that the flagging over the crown of every arch had been displaced by the frost. The flagging stone were removed from the bottom of the aqueduct, and the old mortar and grout were taken out, and a new supply, which was made strong with water lime, put in. The flagging stone were then replaced; and the bottom, after being swept, was grouted with a heavy coat of water lime grout, and the sides of the walls were pointed. The aqueduct has leaked less since this repair than at any time before.

The spring flood carried away the embankment of the weigh-lock at Rochester. The race-way to carry the water from the lock into the Genesee river was filled up, so that the lock could not be used for a time. And during the summer, the scales of the weigh-lock were broken, by weighing a heavily laden boat. This lock is built of wood. It leaks so as to waste large quantities of water, to the injury of navigation in a dry time. It is found to be difficult to stop the leakage. The frame over the lock, which supports the scales, is so weak that it is difficult to weigh boats with heavy cargoes accurately. It is necessary that the lock and frame should be rebuilt.

A waste-weir, one hundred and six feet in length, has been built at the deep hollow two miles west of Rochester; one at King and Adams' basin, one hundred and sixteen feet in length; and one at Brockport, one hundred and twelve feet in length. These waste-weirs are all built of stone and water lime, and are substituted for those of wood.

A stone wall has been built at the deep hollow west of Rochester, one hundred and fifty-four feet in length, and eleven feet in height, to support the embankment.

Much injury was done to the public works at Lockport last spring. The water in the Tonnewanta creek rose to such an unusual height as to pass over the guard-lock and embankments

at Pendleton. It also carried away a dam which had been built to keep the waters of the little Tonnewanta, or an arm of the principal creek, which connects with the canal below the guard-lock, from passing into it. The water passed down the canal in large quantities, carrying with it saw-logs and other timber from the creek. The flagging in the bottom of the upper locks was torn up by the water and timber. Forty-five feet in length of the wall to the raceway near the locks was broken away; the earth was carried away from the south side of the two upper locks, and a channel forty feet wide, and from fifteen to twenty feet deep, was cut from thence to the basin at the foot of the locks. Injury was also done to the towing-path between Lockport and Pendleton, by washing away the timbers and earth. These injuries have all been repaired, and the works put in as good a condition as before. The guard-gates and embankments of the guard-lock have been raised, and the dam across the little Tonnewanta has been rebuilt to prevent injuries in future.

The race-way to carry the water to the lower level at Lockport, which was commenced before our last annual report has been completed.

There is some difficulty in navigating the canal with boats that are heavily loaded, between Lockport and Pendleton, through a part of the deep earth cutting, for the want of a sufficient depth of water in a dry time. Some of this canal was never excavated to the depth intended. The banks in some places have slid in, and quicksand has come in at the bottom in other places. It has been necessary for purposes of navigation, for several years past, to raise the dam at the mouth of the Tonnewanta for a part of the season. This occasions the overflow of land on the banks of the creek, and is thought to be injurious to the health of the inhabitants on its borders. Large quantities of earth have been taken from the bottom of this canal, since the water was first let into it. During the last season more than five thousand cubic yards were taken out, by the use of scrapers that operated under water. The difficulty is not yet entirely overcome. Since the close of navigation the water has been drawn off, for the purpose of finishing this work the present winter if practicable.

Stone have been placed along the outside of the bank of the canal between Tonnewanta and Black-Rock, at places where it had been injured by being washed by the Niagara river.

The pier of the Black-Rock harbor was broken through by ice in several places last spring. The largest of these breaches was nearly opposite to the entrance of the canal from Buffalo into the harbor. At this place the pier was carried away to the bottom for a considerable length. In the construction of this pier, timbers were framed together in cribs, and sunk to the bottom and filled with stone. The ice, which frequently comes against the pier in large pieces and with great force, breaks away the timbers; the stone then fall out, and such a current is formed through the breach as in some cases to remove all the timber and stone to the bottom. In repairing these breaches the last season a new course has been pursued. The breaches have been filled with heavy stone, without the use of any timber. This is found to be a cheaper method of repairing; and it is believed that a pier thus constructed will more effectually resist the action of the ice upon it than one in which timber is used. In addition to repairing the breaches, large quantities of stone have been placed upon and by the side of the pier and icebreakers, to render them more secure.

A pier has been constructed at the foot of the dam at Black Rock harbor, twelve feet wide, and eighteen feet from the dam. The space between the pier and dam has been filled with stone to the surface of the water. This work extends from the ship-lock to Squaw Island, a distance of three hundred and seventy-five feet; it is thirty feet wide, and about nine feet deep. The work was done under a

contract with the lessees of the surplus water at this dam, and only a part of the expense was paid by the State. It adds greatly to the strength and security of the dam. The ship-lock has been raised one foot, and strengthened. The embankment or dam at the head of the lock has also been raised.

During the last winter and spring, the guard-lock on the Champlain canal, at the Saratoga dam, has been rebuilt of stone in a very substantial manner. It was ascertained on a close examination, that the guard-lock on the north side of the Mohawk river (now of wood) was so far decayed as to render it unsafe. Arrangements were made during the past season to rebuild this lock of stone masonry, and about two thirds of the work has been done.

The sloop-lock, the dam across the Hudson river, and the apron connected with it above the city of Troy, have undergone a considerable repair during the past season. The work is not completed, but sufficient has been done to render these structures secure.

The Glen's Falls feeder has been in a navigable state for the two last seasons, although there have been some interruptions by failures in the locks, and the difficulty growing out of that part of the feeder which is located on a limestone rock containing large fissures, which have been troublesome, and are very difficult so entirely to close as to prevent the water from occasionally passing through the bottom in large quantities. The condition, however, of the feeder and its appurtenances has been much improved; and there is reason to believe, that not only the navigation of the approaching season will be much better than at any former period, but that the expenses (which have hitherto been considerable) will be diminished.

The value of this improvement to that part of the country whose products pass upon it can be best estimated by stating the amount of property which passed upon it during the last season of navigation, and the amount of tolls collected. The collector at Fort Edward was directed to furnish a statement of the amount and kind of property which passed on the feeder, and the amount of toll collected. He reports that the amount of toll received is \$7,803.99; and his statement, which is hereto annexed, gives the amount and kinds of property.

The navigation upon the Oswego canal has been uninterrupted, during the whole of the season that the other canals were navigable.

One of the largest dams on the Oswego river was undermined by the water, in consequence of the apron's being broken away by the last spring floods. It settled at one end so as to impair the navigation when the water was low. It has been thoroughly repaired, and is now considered secure.

The work on the towing-path embankment by the side of the Onondaga lake, which was commenced before our last annual report, has been continued, and is nearly completed. The injury to this embankment from the ice last spring was much less than the spring before; and it is believed that, when the work which is now in progress is finished, this embankment will be secure against the operations of the ice from the lake.

The towing-path along the Oswego river was so low in many places that the high water in times of flood overflowed and washed it away. Much expense has been incurred in raising this towing-path, to secure it against future injury.

The navigation on the Cayuga and Seneca canal has, for a short period during the past season, been incommenced by low water in the outlet of Seneca lake, between Waterloo and Seneca falls; and also in the outlet near the foot of the lake. In the former case the levels became depressed, in consequence of the great quantity of water drawn to mills situated on two dams crossing that stream.

The same difficulty occurred in 1829; and it was then intimated, that to secure the navigation from a recurrence of this inconvenience, it would be necessary "to place a permanent

dam in front of all the floods leading to these mills, on a level with the top water line in the canal." This would prove injurious to the mills in the winter season. Under the expectation that those interested in the mills would conform to the suggestion which were then made, and would see the obvious propriety of making such arrangements among themselves, in relation to the manner of drawing the water, as not to reduce it below its proper level, this work has not been done.

During the navigable period of 1831, the water in the outlet continued above its ordinary height, and no inconvenience was experienced; but a return of low water last season, has brought with it all the evils of 1829. The extension of hydraulic erections, drawing their supply of water from the dam at Seneca falls, renders a dependence on any arrangements or restrictions which may be imposed, too precarious to rely upon. It is believed that a due regard to the maintenance of an uninterrupted navigation, from the causes mentioned, renders it indispensably necessary to make the erections referred to. In order to obviate the injury which may result to the mill owners, it is intended to permit them, at their own expense, to place gates in the dam in front of their floods, through which water may be drawn in the winter season; but which should not be under their control during low water, when the canal is navigable.

It should be recollected, that the act incorporating "the Seneca Lock Navigation Company," which was passed in 1813, granted to the owners of land on which water privileges should be created by the company's works, the right of using all the surplus water, as an equivalent for damages, provided such use should not interrupt the navigation. The upper dam at Seneca falls, and the one about two miles farther up the outlet, on which the mills which are the subject of complaint are situated, were constructed by this company, and are now maintained at the expense of the State.

In pursuance of the "Act authorising the construction of the Cayuga and Seneca Canal," passed April 20th, 1825, the canal constructed by the Seneca Lock Navigation Company, with all its appendages, was transferred to the State. Under these circumstances it has been considered proper not to interfere with the hydraulic works which draw their supply of water from dams erected by the company, farther than would be consistent with the paramount object for which the dams were constructed.

To obviate the difficulty of navigation in the outlet near the foot of Seneca lake, it is intended to deepen the boat channel next summer.

The towing-path across the Seneca outlet, below Seneca falls, has been rebuilt. This bridge is two hundred and fifty-seven feet in length. About one and a half miles of the towing-path bank has been walled and docked; and a ditch has been cut below Waterloo, of about one and a half miles in length, for the purpose of draining low land adjoining the towing-path, which had been injured by its construction. The latter work was done by order of the Canal Board.

It is intended this winter to construct a guard-gate, with abutments of stone masonry, on the level connected with the outlet at Waterloo; and also one on the level which connects with the outlet below Seneca falls, in order to secure the banks of the canal on these levels from floods.

There have been an unusual number of breaches in the canal banks the past season, but none that have interrupted the navigation for any great length of time. Several of these breaches were occasioned by the banks being frozen to an uncommon depth during the winter. When the frost came out in the spring, it left the banks so low that the water easily found its way through them.

The navigation upon some parts of the Erie canal was impeded for the want of a sufficiency of water during the dry weather last sea-

son. It will, in the opinion of the Commissioners, be necessary to take in additional feeders upon some of the levels. Surveys and estimates for the purpose have been made. If any legislation upon the subject should be found necessary, a separate report will be made.

In addition to the repairs before mentioned, there have been constructed upon the navigable canals the past year, one hundred and six bridges, sixteen culverts, fifteen waste-weirs, one hundred and seventy lock-gates, four lock-tenders' houses, three carpenters shops, ten repairing scows, and twenty-five miles of wharfing and walling.

The amount expended for repairs and improvements upon the canals, for the year ending on the thirtieth of September last, has been greater than that of any former year: but the Commissioners are not conscious that any unnecessary expenses have been incurred. The injury which was done to the canals by the severity of the frost of last winter, and the unusual floods of last spring, rendered it necessary to make extensive repairs before navigation could commence, a detailed account of a part of which has been given. Many of the wooden structures upon the canals, which had failed, have been replaced by those of stone. In raising the towing-path where it was worn or washed away, great pains have been taken to procure the best of materials. It has been necessary to build an uncommon number of lock-gates and repairing scows the past season. In the amount charged as expended for repairs, is included the salaries of the superintendents of repairs, and the pay of lock-tenders. The practice had become general for lock-tenders to keep groceries to sell to boatmen and others, and almost every lock-house upon the canals was converted into a grocery. The consequence of which was that there was a great anxiety to procure locks to tend, by persons who were more desirous of selling groceries than of discharging their duty to the public. Complaints were frequently made that boats were delayed in the locks for the purpose of giving the lock-tender an opportunity of selling to boatmen or passengers, and that idle and dissolute company collected about the locks. The Canal Board last winter made an order prohibiting any lock-tender from keeping a grocery. In consequence of this order, higher wages have been given to the lock-tenders than before, but their duties have been more satisfactorily performed.

The following is the amount of expenditures on the navigable canals, from the 30th of September, 1831, to the 1st of October, 1832:

ERIE AND CHAMPLAIN CANALS.	
By William C. Bouck, including salary,	\$24,209 79
" Jonas Earle, junior,	9,824 30
" the superintendents of repairs,	327,302 91
	\$361,337 00
OSWEGO CANAL.	
By Jonas Earle, junior,	\$115 00
" the superintendent of repairs,	12,254 79
	12,369 79
CAYUGA AND SENECA CANAL.	
By William C. Bouck,	\$3 00
" the superintendent of repairs,	5,356 00
	5,359 00
	\$379,065 79
From the above should be deducted as not properly chargeable for repairs, payments made for damages, &c.	
By William C. Bouck,	\$11,296 33
" Jonas Earle, junior,	9,511 42
	20,807 75
The amount paid for repairs, salaries to superintendents, and pay of lock-tenders, for the year ending on the 30th September, 1832,	
	\$358,258 04
The following sums have been expended on the unfinished canals:	
CHEMUNG CANAL.	
By William C. Bouck,	\$70,213 89
CROOKED-LAKE CANAL.	
By William C. Bouck,	\$55,686 00
The Revised Statutes, part first, chapter 9, title 9, article 1, and sections 4 and 5, require the Canal Commissioners to cause to be made "a	

complete manuscript map and field notes of every canal that now is or hereafter shall be completed; and of all lands belonging to the State adjacent thereto or connected therewith, on which the boundaries of every parcel of such lands to which the State shall have a separate title shall be designated, and the names of the former owners, and the date of each title be entered. And if the Canal Commissioners, on examination of the premises, be satisfied that the cost and expense of making such map, field notes and survey, will exceed the sum of five thousand dollars, no such map and field notes shall be compiled. Every such map shall be compiled by the Canal Commissioners, who shall for that purpose cause all necessary surveys to be made. When prepared, it shall be submitted to the Canal Board for its approbation; and when so approved, shall be signed by the Canal Commissioners, be certified by them correct, and be filed in the office of the Comptroller."

In pursuance of the provisions of the above recited sections of the Revised Statutes, the Canal Commissioners, in the winter of 1829, accepted a proposition from Holmes Hutchinson, Esquire, a civil engineer, to make the survey, maps and field notes, referred to in said sections. A survey of the Erie canal from Canistota to the Hudson river, and of the Champlain canal, (except the Glen's Falls feeder,) has been made, and the maps and field notes are nearly completed, accompanied with a complete manuscript map and field notes, which comprise "all the lands belonging to the State adjacent to the canals or connected therewith, designating the boundaries of every parcel of land to which the State have a separate title, with the names of the former owners, and the date of each title."

The statute evidently contemplates that the survey, map and field notes shall be made in such manner as shall be approved of by the Canal Board. The Commissioners have therefore considered it to be their duty, in several stages of the survey, to advise with the members of the Canal Board, and as soon as a complete specimen of the survey, map and field notes was prepared, to submit the same informally to their examination, to the end that if any alterations or amendments were suggested and approved, the plan on which the work had thus far proceeded, might be amended accordingly.

Within the present month the Canal Board have deliberated on the plan of the survey, maps and field notes submitted to them.—This informal deliberation has resulted, as heretofore, in an approval of the plan adopted by Mr. Hutchinson.

The survey of all the canals would long since have been completed, but for an unexpected difficulty which has arisen since the acceptance of Mr. Hutchinson's proposition. The acting Commissioners, from a desire to favor Jacob Trumbour, who had made a proposition, and was anxious to make the survey, expressed a wish to Mr. Hutchinson that he should assign to Mr. Trumbour a portion of it, if they should agree on the terms in relation to the compensation and the parts of the canal each was to survey, reserving to the Commissioners, as is done in all their contracts, the right in every stage of the work, to direct and control the manner in which it should be done.

In the fall of 1829, Mr. Seymour, then an acting Commissioner, discovered that Mr. Hutchinson and Mr. Trumbour were making the survey on different plans. This fact was first communicated to the other Commissioners in the winter of 1830. For the purpose of reconciling this difficulty, and agreeing on a uniform plan for making the survey, maps and field notes, in this early stage of the matter, when Mr. Hutchinson had surveyed about forty miles, and Mr. Trumbour one hundred miles, the Commissioners, considered it their duty to make an informal conference with the other members of the Canal Board. Soon after this conference, Mr. Trumbour was apprised that the Canal Commissioners and Canal Board were of opinion that the survey, maps and field notes should be

made on a uniform plan; that they preferred the plan adopted by Mr. Hutchinson, and that he must proceed no further in his survey, until the difficulty which had arisen was adjusted. Notwithstanding this notice, Mr. Trumbour, in the month of May following, announced to Mr. Seymour his intention of recommencing the survey; he was again requested by Mr. Seymour to "abstain from any farther proceedings in relation to it." In defiance of the directions of the Canal Commissioners, and in defiance too of the fact within his own knowledge, that the plan on which he was making his survey, was disapproved of by the Canal Commissioners and the Canal Board, he continued his survey; and after this period he surveyed one hundred and seventy-seven miles of canal, for which he now not only asks the Legislature to remunerate him, but also for his expenses in employing counsel, and attending on the Legislature to further the allowance of his claim, amounting in the aggregate to a larger sum than the appropriation.

Although Mr. Trumbour, as he alleges, may have commenced his survey the first season in good faith, and under the impression of an implied contract; yet we conceive that there is no possible apology for his having persisted in completing his survey of that part of the canal allotted him by Mr. Hutchinson, after being apprised that the plan adopted by him was objected to by the Canal Commissioners and the Canal Board, to whom exclusively the statute committed the decision of that point. Could he have supposed it practicable to coerce the public officers to an approval of his plan; or did he intend to act in defiance of their opinion, and refer his claims to the Legislature? Events subsequent to this stage of the transaction, clearly show that the latter course was intended.

Memorials from Mr. Trumbour and Mr. Hutchinson were presented to the last Legislature; these, with a report from the Canal Board, to which they had been referred, were referred to a select committee, whose report will no doubt bring the subject before the present Legislature.

In the last paragraph on page 17 of the report of the committee, they say, "If it be admitted that the maps must include the boundaries of the property, then it must also be conceded that they must be ascertained by actual survey on the ground. For what other purpose would the Legislature have directed the Canal Commissioners to cause all necessary surveys to be made, but that the boundaries to be exhibited on the map might be designated on the ground itself by proper visible landmarks? This is the object of every survey of boundaries. For how else can encroachments be discovered and prevented? The committee think, therefore, that they incur no hazard in saying that both the statute and the above resolution require the actual survey and designation of the boundaries of the public lands along the canals appropriated to the use thereof, by courses and distances, and visible permanent monuments on the ground itself, as has been heretofore used and approved in this State."

The fourth section of the statute referred to evidently comprises two classes of lands to be surveyed; the one, the lands appropriated for the construction of the canals, the fee simple of which is vested in the State by the Constitution; the other, the lands "adjacent thereto or connected therewith, to which the State have a separate title." The last class of lands is the one, no doubt, referred to, "on which the boundaries of every such parcel of land shall be designated, with the names of the former owners, and the date of each title."

The Committee have evidently confounded these two classes of cases; and they seem to suppose that the statute requires "an actual survey on the ground, designating the exterior bounds of the canal by courses and distances, and visible and permanent monuments." The Commissioners infer, as well from the nature of the case as the amount appropriated, that the Legislature could not have intended that "visible and permanent monuments" should be erected, by which the exterior bounds of the canal could be designated at any future period. To have done

this, would have required an appropriation of at least \$15,000. If this supposition is correct, the design of the Legislature no doubt was to make such a survey as would furnish the most ready and certain means of ascertaining the exterior bounds of the canal; and that the "boundaries of all lands adjacent thereto, or connected therewith, to which the State shall have a separate title," either by purchase or cession, "shall be designated, with the names of former owners, and the date of each title."

If this construction of the statute is correct, it would make no difference whether the courses and distances of the exterior bounds of the canal were ascertained by running lines on the ground, or whether the means of ascertaining them are furnished; provided that the data on which those means rest, would produce as accurate a result as lines run on the outward bounds of the canal by compass and chain. And we do not hesitate to say, that the means furnished by the plan adopted by Mr. Hutchinson, would produce a more accurate result in this case, than lines run on the outward bounds of the canal.

It is evident that Mr. Trumbour did not suppose the statute to require that the exterior bounds of the canal should be designated by "visible permanent monuments." Although he has noted many of the structures on the canal, and the position of buildings and other objects in its vicinity, yet there are several miles in different places on the canal where there are no permanent structures or buildings in its vicinity; and it is not contended that he has in a single instance placed a "visible permanent monument," unless stakes about two feet long can be called such; and if these are so considered by the committee, they could easily have ascertained how much reliance is to be placed on this kind of monument, by tracing the lines run by Mr. Trumbour. We venture to say that only a small portion of those driven into the ground by the axemen in the employ of Mr. Trumbour could now be found.

The mistaken views and unauthorized inferences of the committee in many other respects, will, we think, be readily perceived by an attentive examination of the case. The misconstructions which they have put upon the acts of the Canal Commissioners and the Canal Board, will be passed over in silence. Neither the Commissioners nor the Canal Board appeared as a party before the committee, by counsel or otherwise; nor does the State seem to have had any representative to take care of its rights and interests. It is solely in reference to the rights of the people of the State, and with a view to shield, as far as we are able, those rights from violation, that our remarks upon this extraordinary report are submitted.

The committee, by inference and implication, have assumed that a contract was made in the spring of 1829, between the acting Canal Commissioners and Mr. Trumbour, for one half of the work to be executed under the law. Now let it be supposed for a moment that this inference is just. Let it be further supposed that this contract had been put in writing, and three copies of it signed by Mr. Trumbour and the Commissioners as the statute requires, and that the contract had specifically designated Mr. Trumbour's mode of survey as the one which he was to pursue. Even in a case as strong as this, the conduct of Mr. Trumbour subsequent to the season of 1829, would be wholly indefensible. It has been the uniform practice of the Commissioners to reserve the power in their contracts of limiting, controlling, and changing the mode of their execution, whenever, in their judgment, the interests of the State required it. This practice is founded on the obvious principle, that men may learn wisdom by experience. And the statutes of the State have constantly recognized and sanctioned this practice, by giving to the contractor a claim for damages, in case the expense of his contract is increased by "new directions" as to its execution. If then there had been such a contract as has been supposed, the obstinate pertinacity of Mr. Trumbour in refusing to conform its execution to the direction

of the Canal Commissioners, acting also under the advice of the Canal Board, would have utterly precluded his claims for posterior services from the favorable regard of either law or equity.

(To be continued in our next)

PETERSBURG RAILROAD.—Our citizens have been for some time past anticipating a visit from a number of the members of the Legislature, who were generally invited to make an excursion on the Petersburg Railroad.

Yesterday we were gratified by the appearance of about forty members, who with about an equal number of our citizens and of travellers, took their departure from the company's depot on Washington street, at 9 o'clock, on a train of five coaches and cars. The party reached Belfield some time before the dinner hour, and after a pleasant repast resumed their seats on the carriages at 3 o'clock. The locomotive Roanoke, then partially displayed its power and velocity, by returning to the depot in Petersburg, a distance of 41 miles in two hours and six minutes—of which time 8 minutes were occupied by two stoppages to replenish fuel and wood. It is believed that the same distance has never before been performed in the same time on any other Railroad—41 miles in 2 hours and 58 minutes.

Not the slightest action or interruption took place, until on entering the town, a negro man attempted to run in front of the locomotive, which struck him and he survived but a few hours. [Petersburg Intelligencer.]

[For the American Railroad Journal.]

RAILROADS FOR PRIVATE USE.—The force of traction necessary to propel a ton's weight on a level road is eight pounds. To propel the weight of an ordinary human body, or 140 lbs. would require at this rate just half a pound. As easily, then, as such a person could walk up several flight of stairs to the height of thirty-two feet, he could move his own weight upon a level railroad one mile and three-quarters; and if we include a light carriage of 140 pounds, he could move himself and his carriage three-fourths of a mile as easily as he could walk up stairs 32 feet. The ease with which persons can walk on level ground, or a floor, is an argument for level roads, which many must sensibly feel; but, whatever be the ease with which persons can walk on level ground, they cannot move forward with great rapidity, nor without some fatigue; but a wheel is not put out of breath, and a friction on the axle, of a few inches, carries it forward several feet. For innumerable occasions this facility of moving would be exceedingly convenient in a vast variety of lines of communication, where large railroads for steam or horse power could not be supported. There are innumerable occasions on which families in the country wish to convey articles a few miles to a store, which they cannot carry in their hands, and which are not a load for a horse. In these cases it would be very easy for a man, or even a woman, to take a beautiful, fancy rail-car, of 140 pounds weight, and take a load of 200 pounds weight, and go on a dry rail, when a common road is deep with mud, some four or five miles to a store. In this case no more effort would be necessary than would be required to raise up over a pulley a weight of one pound and two-thirds. It would require no more force to move through the whole four miles, the carriage of 140 pounds, the load of 200 pounds, and the person of 140 pounds—in all 480—than for the person of 140 pounds to walk ten times up a flight of stairs of 26 feet in height. PUBLICOLA.

AGRICULTURE, &c.

Rise and Progress of Agriculture in Scotland.
By SENEX. For the New-York Farmer.

MR. EDITOR.—Having lately become a subscriber to the New-York Farmer and American Gardener's Magazine, I feel much pleased with the work, both in its plan and execution. I flatter myself every farmer and gardener, and every lover of Agriculture and Horticulture in the state, may feel an interest in it, and give you all the aid in their power to carry it on. You are entitled to their assistance, and I sincerely hope you may receive it liberally. Under this impression, being willing to contribute my mite I send you the following short statement regarding the Rise and Progress of Improved Husbandry in Scotland, (my native country,) under the idea that it may be found interesting of itself, and as affording the American farmer an opportunity of comparing his situation with that of his brethren in Europe.

For many ages prior to the beginning of the eighteenth century, the state of agriculture in the north of Europe was in the most abject condition; the art itself, as well as its poor, ignorant, and oppressed professors, was held in very low estimation—the barbarous influence of the Feudal System blasted agriculture and every useful art. The first germs of improvement took root in Holland and Flanders; commerce, manufactures, agriculture, and industry of every description, encouraged and protected by a wise policy in the Dutch Republic and Belgian Provinces, in a short time spread prosperity and riches over these countries; population increased with unexampled celerity; cities and villages arose on every hand, and a market was created for every species of agricultural produce:—here it was that clover and other artificial grasses, turnips and other ameliorating crops, were first introduced into field culture, in rotation with grain. The plough and other farming utensils were here first improved, and new machines, such as the fanner and roller, invented—the value of manure properly appreciated—fine cattle bred, and husbandry carried on with a degree of system and perfection formerly unknown.

Good husbandry was for many years confined to Holland and Belgium, or the Netherlands. It was only about the beginning of the last century that clover and turnips were introduced into England—in the county of Norfolk first, and from thence, by very slow degrees, to the other English counties, in some of which their introduction is only of recent date.

Improved husbandry was introduced into Scotland at a still later period, and though its progress there was at first equally slow, it finally surpassed that of England, both in rapidity of progress and perfection of practice—the husbandry of Scotland being accounted at the present day superior to any part of the north of Europe, Holland and the Netherlands excepted—for it is allowed that these countries still continue to excel the rest of Europe in the practice of agriculture.

The remainder of this communication will be confined to Scotland, where I have been an eye witness to the progress of improved husbandry from nearly its commencement to the present day. I may premise, that the division of land in Great Britain, as well as Europe generally, is very different from that of America. The whole of the soil of Scotland and England is divided among a comparatively small number of proprietors. Some of the estates of the nobility and gentry comprehend whole parishes, others many farms, others only a few farms. Most of these proprietors live on their estates, and have a farming establishment about their manor-house, managed by a steward or overseer, but of course the great body of the farmers are tenants, paying rent and holding their farms on leases of limited duration. The Union of Scotland and England, or rather the time between the years 1715 and 1745, when the two last efforts were made in Scotland in favor of

the royal family of Stuart, may be considered as the period of the first introduction of improved husbandry in the south of Scotland; this was accomplished by the exertions of a few spirited proprietors, whose memory will be long revered in that country—these had travelled in England and Flanders, and from thence introduced fallowing, clover and turnips, with improved utensils, on their own farms, and by most liberal assistance and encouragement, induced a few of their tenants to follow their example. From 1745 to the end of the American Revolutionary war, the new system had made a slow progress in a few of the southern counties, particularly in East-Lothian, among the tenants, and had advanced northward among the proprietors. Towards the end of this interval many of these made great exertions; they procured overseers, both from Norfolk and Lothian, to manage their own farms, and by giving very favorable leases, induced farmers and farmers' sons from the south to settle on their estates. They sent, at their own expense, some of their farmers' sons to England and Lothian, to be instructed in the best practices, and on their return gave them very favorable leases. In this period, also, the Press first came to the aid of Scottish agriculture. Several excellent Treatises on the art came out, particularly "The Gentleman Farmer," by Lord Raimes, which had a most beneficial effect in diffusing correct information, and raising a spirit of emulation which has not yet subsided. Improved farming became quite fashionable among the landholders, many of them embellished their estates with fine plantations of forest trees, and brought their house farms into good cultivation. Still, however, their example had wonderfully little effect on the great body of the tenantry, whose habits and practice, sanctioned and endeared to them by antiquity, were given up with the greatest reluctance. I may here state the condition and practice of the old Scottish tenantry at this period, namely, the close of the Revolutionary war. I was then sixteen years of age, and remember it as well as yesterday. The farm-houses were mean hovels, built of rough undressed stone and earth, without wooden floors or upper story; the out-houses were of the same kind, placed where chance seemed to direct, without regard to plan or regularity. The plough was a most clumsy and ponderous utensil, drawn by eight, ten, or twelve oxen on the large farms, and on the small, by the aid of cows and small horses; the work performed miserably bad, so as to require much spade work to make it fit for the seed. No carts were in use; the farm-yard manure was carried out in baskets of a particular construction on the horses' backs, and the harvest brought home by a similar contrivance. One system of cropping prevailed all over Scotland for every kind of soil. I shall not take up your time to detail it; suffice it to say, that it consisted of perpetual scouring of the ground for grain crops as long as it would return the seed.

The end of the American war was the period destined to eradicate this system, and give an irresistible impulse to Scottish husbandry. The landholders finding the tenantry not to be moved by example or precept, resolved to force them out of the old path, and with this view, in granting new leases, introduced compulsory clauses binding them under severe penalties to fallow, sow grass seeds, cultivate turnips, and adopt a rotation of cropping suitable to the soil and circumstances of the farm. This was unwillingly gone into at first, but upon a fair trial was found so advantageous, that they became entirely reconciled to it. Compulsion became unnecessary—correct practice became more generally known and valued, and at the present day compulsory clauses are seldom inserted in leases, but only such restrictions regarding cropping as may appear necessary to guard the farm against waste or over-cropping towards the end of the lease.

Farming became more and more fashionable among the nobility and gentry—the king himself setting a good example to the nation.

Among the expedients to stimulate and encourage the tenantry, Farming Societies were about this time got up in Scotland and England, who held out premiums for all sorts of improvements. These Societies still continue, and persevere in their patriotic labors. They consist of the nobility, country gentlemen, clergy, and most respectable of the tenants; and though their very liberal efforts have often come short of their, perhaps, too sanguine expectations, still there is no doubt their influence has been highly beneficial. These Societies, at first small and unconnected, have, in many instances, joined and formed one large County Society; and some of them comprehend several counties, by which they are enabled to act with more effect, and extend their use and influence.

Soon after this period the Board of Agriculture was instituted by the British Parliament, under whose orders fit persons were employed to draw up and report a state of the agriculture of every county in Britain. The publication of these Reports furnished for the public a matchless mass of agricultural and statistical information; this has been also arranged and condensed, by Sir John Sinclair, and given to the public in two separate works. At the same time "The Edinburgh Farmer's Magazine" made its appearance, (a work similar to your own,) through whose pages, whatever is most material in these reports, as well as in every other agricultural publication of the day, was quickly communicated to the farmers in general. This book is generally believed to have had more effect in the dissemination of sound agricultural principles and practice, and forwarding their adoption among the farmers, than all the efforts of the Farming Societies, liberal and persevering as they certainly have been. It was begun in 1801, and has been continued ever since; and such is considered its importance, that scarce any respectable farming Scotland can now want it. Its circulation in England is also very great. While on this subject I may mention the establishment of a Professorship of Agriculture in the University of Edinburgh, by which an opportunity is afforded to all who choose to be instructed in the theory, as well as the practice, of agriculture.

These exertions and measures have undoubtedly contributed highly to the advancement and prosperity of agriculture in Britain, and have been aided by other very powerful auxiliaries. The first I shall mention is the introduction of lime as a manure. This most important article came into general use in Scotland soon after the period last mentioned, namely, the end of the American Revolutionary war, and soon became indispensable on every Scotch farm.—Without this noble assistant the best lands in Scotland could never have attained their present state of fertility and productiveness, and the poor and mairland soils must have remained in perpetual sterility. Used with proper judgment it is indeed valuable; there is not the least doubt that it has more than doubled the value of all the arable lands of Scotland.

Another highly important circumstance in favor of the farming interest of Great Britain is the successful establishment and progress of manufactures, many of which had their beginning, and the whole received an unprecedented impulse, near the above stated period, accompanied at the same time by a most successful, active and extended commerce. By these, the population of the country has been gradually and greatly increased, and thereby a ready market (the very life of farming) provided for every kind of agricultural produce. The depreciation of money and increase of the circulating medium may also be noticed as a circumstance favorable to the tenants; holding their farms on leases of nineteen or twenty-one years duration, generally, with a fixed money or virtual rent, they had all the advantage of the fall of money and rise in the price of produce, which had the effect, in fact, of lessening the value of the rent during the currency of the lease, while it increased the value of produce.

Under these favorable circumstances the an-

nual rent of the arable lands of Scotland have been more than quadrupled within the last sixty years. The face and appearance of the country has been wonderfully changed to the better; and the condition and circumstances of the tenants vastly improved in spite of all the increased rents, and sometimes heavy taxes. Many of them have made genteel fortunes; all of them live better in every respect; all of them now have comfortable houses of mason work; many of them live in genteel mansions, with excellent steadings of farm offices, built after a regular plan, and quite complete: their respectability and standing in society is also much raised. Those who occupy large farms are generally well educated themselves, and often give their sons a liberal education. Farming capital is, probably, increased tenfold within the period last stated.

In surveying the above statement, the American farmer will naturally notice with interest the various measures and circumstances by which this agreeable state of things has been brought about. The various and persevering exertions of the landholders in the first place, and secondly, the progress of manufactures, commerce and population. And here I cannot avoid expressing my ardent wishes for the continued success of American manufactures and commerce, and my hopes, that such necessary protection may still be afforded them as to prevent their decay or destruction by foreign competition, supported, as it is, by foreign legislation, overwhelming capital, and low rate of labor. There cannot be the least doubt that the prosperity of agriculture is closely connected with that of manufactures and commerce at the present day, and has been so in every age.

The American farmer, in comparing his situation with that of the great body of his European brethren, must find himself on very enviable grounds—fully master of the soil, himself the landlord—without the anxiety and hazard attending the taking or renewing of a lease—without rent to pay—taxes light—his soil and climate superior, producing the most valuable kinds of grain in perfection, with fruit in great variety—his markets good, with every prospect of being steady. What better encouragement can the heart of man desire? Internal Improvements have ever been favorable to agriculture as well as commerce, and certainly we have no reason to complain for want of enterprise in our citizens on that head. Our manufactures and commerce are prosperous at present, and our population increasing at an unexampled rate; all these circumstances we have advantage of. I say therefore the present times are as favorable to farmers as they can reasonably expect or wish for. The character and standing in society of the American farmer is every way respectable; many of our members understand agriculture both in theory and practice, and their farm management would do credit to some of the best districts of Europe: at the same time it must be owned that a much larger proportion of us appear to manage our operations as if ignorant or regardless of principles or system.

There is no doubt that the diffusion of agricultural knowledge among us is needed. Good principles and good practice will be extremely advantageous to all of us. The science, if you please to call it so, is certainly progressive and susceptible of improvements and alterations periodically. Therefore nothing is more just than the old adage, that farmers are always to learn. And I know of no mode of communicating information to us so well adapted as a well conducted Magazine. Such a work puts the farmer in possession of the practices and opinions of men of his own profession in different districts of the country, gives him notice of every different improvement as it takes place—makes him acquainted with every new treatise connected with the art as published—informs him of the state of the crops in every part of the Union, as well as in foreign countries—of the present prices of produce, both at home and abroad, and the probability of their rise or fall—

in a word, every thing that can be interesting or entertaining to the farmer, as well as the gardener, may be expected, from an able editor or conductor, in such a work, assisted and supported as he ought to be. Wishing every success to the Magazine, I beg leave to subscribe myself, your friend and well-wisher,
SENEX.
January 15, 1833.

[From the Southern Agriculturist.]

MANURES.—We were highly gratified in discovering the interest which is taken by the planters generally, in the subject of manures. At one time, if a farmer could get enough to manure a portion of his corn crop, he thought he did well—as to manuring his cotton, it was out of the question; and there are some who are now zealously engaged in the system of manuring, who at one time absolutely ridiculed the idea of a planter ever having as much manure as would enable him to apply any to his cotton crop. Now, great attention is paid to this subject, and it has become one of considerable importance. We witnessed with much pleasure the operations made on several plantations for collecting and making manure. In one pen the pine straw was at least three feet deep, and they were still engaged in hauling in more. The cattle had not been in it long, and this depth would decrease as it became more trampled.

The better to secure all the advantages to be derived from penning cattle, D. H. Ravenell has recently erected an extensive range of sheds for his cattle. The space enclosed by these sheds and pens is a square half acre; the principal range is on the north side, 150 feet long and 16 feet wide, boarded on the north side and shingled; two wings project from this, one on the west side, 40 feet long, and the other on the eastern, 80 feet in length—these both face inwards, and are boarded at the backs. The pen is made by large posts sunk into the ground, with oak rails nailed on, and the whole capped by a large piece fixed to the posts with mortices and tenons. It is divided into three divisions—one for oxen, one for milch cows, and the other for dry cattle. This pen is used only during the winter, and the cattle are here regularly fed at night on cotton seed, corn husks, &c.

But although much attention is now paid to manuring, it is far from being carried on as systematically, or to as great an extent as it might be. The fact is, that even those who are most engaged do not employ all the means within their power, nor employ all of the substances which might be collected and advantageously used. They all depend too much on the cow-pen and stable; and we have heard it seriously urged, that the planters in that neighborhood never could manure all their cotton crops, because cattle enough for this purpose could not be supported in the several ranges. This idea, we fear, has done much to retard the extension of this system, and consequently been prejudicial. It is still fresh in the memory of most of the planters, when no part of the cotton crop was manured at all, all being retained for the provision crop.

Now, numbers manure, not only all of their provision crops, but even a large portion of the cotton—some as far as half. The knowledge of this fact should serve as an incentive to use greater exertions. We have, however, little fear on the subject; the importance of manuring is duly estimated by most of the planters. A commencement has been made—thus far the attempt has been eminently successful; and we, therefore, cannot fear

that in such an intelligent community, it will either languish or be discontinued.

Before quitting this subject we will make one suggestion; it is this—that all the materials fit for manure, and within the reach of the planters generally, are either not used for that purpose or in much less quantities than they might be. The pens and stables are chiefly depended on, and each planter estimates his capability of manuring by the number of stock his range can support. Now we request the serious attention of the planters to this subject—let him consider well, and we are certain he will discover that he has the power of increasing the quantity of his manures greatly. Some who have but few cattle do not employ any hands steadily at carting in trash to the pens, giving, as a reason, that the quantity would be too great for the number of animals penned, and consequently it would be weak, and when used, be of little service. We would suggest to those thus situated, that they continue to employ one cart and two hands steadily, and instead of hauling in pine straw and leaves every day, they should bring in only enough to form a thick layer, and then cart in on this swamp mud, mud from the ponds, and when these cannot be had, top-soil from the woodland, and when a layer of this has been formed, then place on it another of pine straw, &c., thus making alternate layers, keeping the cattle penned on it nightly. In this way a large addition would be made to the usual quantity, whilst the quality would not be at all inferior.

In addition to this, each planter should have a small stercorary, or receptacle, made near the offices, into which all the soap suds, trash, and offals, which are gathered around these, may be placed, and not left to offend the eye and manure noxious weeds;—to this the sweepings of the hen-house could be added, and earth be thrown in to absorb the surplus moisture, as it became necessary.

In manuring the crops generally, a system should be entered into, and this persevered in as far as practicable, due regard being had to the crops and the soil to be manured.

BET-ROOT SUGAR.—The same necessity—that proverbial “mother of invention”—that led our ancestors, during the Revolutionary struggle, to extract molasses from pumpkins and corn-stalks, taught the French, after having lost their colonies during the late war, to manufacture sugar from the beet. Indeed, during the latter years of that war, nearly the whole consumption of France was furnished from that source. The peace of 1816, and the consequent influx of foreign sugars under a temporary relaxation of the protective duties which the government had extended to the domestic article, caused the manufacture, for a while, to languish and be neglected. Shortly, however, the government resumed, efficiently, the protective policy; the manufacture of sugar from the beet-root was resumed with renewed energy, and rapidly extended; it is now firmly and profitably established; and although her annual consumption of sugar is estimated at eighty millions of kilogrammes, yet France will shortly produce within her own bounds, nearly, if not quite all the sugar she consumes.

We learn these particulars, with much other valuable information in relation to this important branch of French domestic manufacture, from a curious and valuable article upon the subject, copied by the *Family Lyceum* from the “British Quarterly Journal of Agricul-

ture," and which, with our earliest convenience, we intend laying before our readers. We have noticed it now, for the purpose of contrasting the policy of France, in relation to this manufacture, and its immensely beneficial national consequences, with the course which certain wise theorists and would-be patriots would fain have our government pursue, in relation to the Domestic Industry of this country.

Sugar—no matter how—had become one of the necessities of life. Up to the wars of the Revolution, France was supplied with it from her own colonies. This supply failed; and a new one was sought and found at home. But the war ceased, and France again has sugar-growing colonies, whence her demand may be supplied; or she may buy the article from her neighbors, the English or the Dutch. Does she do either? No. She has learned her lesson too dearly, so soon and so easily to forget it. She has learned that these sources are precarious—depending on the questions of peace or war—and that they render her dependent. She has learned, moreover, that she has means and sources that are not precarious, and that are independent; and she has wisely determined to cultivate and to cherish them. Already is she reaping the reward of her wisdom; having increased not only her independence, but her wealth and her comforts, by this policy of *protecting her own industry and her own productions*. How much better, more satisfactory, and more conducive, is one such example, one such lesson drawn from the school of experience, than all the abstract reasonings and fine spun theories of the Free-Trade political economists?

FOOD FOR OXEN AND OTHER CATTLE.

"Every traveller who passes Alselt, a little town near Frankfort in Germany, has noticed the remarkable fine cattle of that place, who are fed in the following manner: Straw is cut short by means of a straw-cutter; is then put into a cauldron, with the addition of potatoes and carrots, and boiled till it forms a kind of jelly; this mixed with a sufficient quantity of water is served to the beasts.—The animals so fed require no water, and so well do they thrive on this mess, that they are, notwithstanding the summer labor, ready for the butcher at the end of the year."

Grind all sorts of grain which is intended to be given to cattle or horses. In order to obtain the greatest benefit from it, boil it in water, and while hot add cut straw, stirring it well, and when cool it will be fit to feed out.

The following observations upon fattening cattle were published by Nathaniel Landon, of Litchfield, Connecticut. He says, "I boiled about two quarts of flax seed, and sprinkled it on cut straw, which had been previously scalded, and seasoned with salt, together with some oil-cake and oat-meal: working them into a tub with a short pitchfork, until the whole became an oily mush. I fed a three year old heifer regularly in this way, about two months, when she had eaten about one bushel of flax-seed, with the other ingredients in proportion. When she was butchered she weighed 584 lbs., 84 lbs. of which was tallow. She would not have sold for more than \$16 before fattening. I sold two quarters of her for 18 dollars and 13 cents. She cost me not more than ten dollars, exclusive of the hay she ate, which was chiefly scalded as above. On the first of February I began with an ox; I fed him about three months, but not altogether as well as

METEOROLOGICAL RECORD, FOR THE WEEK ENDING MONDAY, FEBRUARY 18, 1833.

[Communicated for the American Railroad Journal.]

Date	Hours.	Barometer.	Thermometer.	Winds.	Strength of wind.	Clouds from what direction	Weather and Remarks.
Tuesday, Feb. 12..	6 a. m.	29.89	32	NNE	light		cloudy and foggy
	10	.89	33		fresh	wsu	.. —cloudy
	2 p. m.	.81	37	WSW	faint		cloudy
	6	.85	35		light		rain
	10	.89	34				
Wednesday, " 13..	6 a. m.	.88	30	ENE	moderate		rainy [x by N brisk
	10	.89	31			x by N	sleety—cloudy—soud from
	2 p. m.	.70	33			E	rainy—rain
	6	.56	32		fresh		rain—snow
	10	.61	31		light		fair—clouds at w
Thursday, " 14..	6 a. m.	.80	28	NNW	fresh	NW by N	.. scuds from NW by W
	10	.90	29	NNW—NW	strong	NW	
	2 p. m.	30.04	32	NW		NNW	
	6	.17	32		light		
	10	.22	30				hazy
Friday, " 15..	6 a. m.	.28	27	NE		wsu	cloudy
	10	.29	31		moderate		
	2 p. m.	.17	31		fresh		snow—(snow at Philadel-
	6	.30	31		strong		phis at 10 a. m.)
	10	.10	31		fresh		
Saturday, " 16..	6 a. m.	.26	26	NNW	light	w by s	fair—fair at 2 a. m. wind w
	10	.30	28	NW to SW		wsu	
	2 p. m.	.29	36	SW—WSW	faint	wsu to w	
	6	.26	34	WSW		w by N	.. —clouds at wsw
	10	.26	34				cloudy
Sunday, " 17..	6 a. m.	.17	32	SSW	light	wsu	.. —fair
	10	.17	37	s by w			
	2 p. m.	.04	40	s—s by E	moderate	w by s	clear
	6	39.96	38	s by E	light		fair—hazy
	10	.93	37	south-easterly			cloudy
Monday, " 18..	6 a. m.	.64	38	ENE			cloudy and foggy—wind
	10	.62	40	NW—SW		w by s	cloudy—fair [NW at 9
	2 p. m.	.58	44	WSW			fair—cloudy
	6	.67	42		moderate		cloudy
	10	.73	41				

Average temperature of the week, 33.6.

Greatest elevation of the Barometer in January, 30.49 inches—lowest, 29.32—range, 1.17 inches.

N. B.—It appears that the rain-storm of the 12th and 13th inst. was a heavy snow-storm near the sea-board in New-Hampshire and Maine. The snow-storm of the 15th is known to have commenced and terminated five hours sooner at Baltimore than at New-York.

In the summary of winds for January, appended to the Record of the week ending on the 11th inst., "NE." is intended to designate all the points between north and east; and so of the other quarters of the compass.

I did the heifer. He digested about one peck of flax-seed per day, prepared as above, which I suppose formed about one half of the fat in these two cattle. The ox was short, measured 7 feet 2 inches, and weighed 1082 lbs. and had 180 lbs. of tallow. He cost me when fattening 25 cents per day; he had previously cost me 35 dollars. My neat gain in fattening these two cattle was more than all I have cleared before in fattening oxen and cows, for fifteen years, and this is owing I think chiefly to the use of flax-seed."—[Rural Economist.]

COLT.—To break him never strike, but often lead him by the side of another horse, with a bridle. When he walks well, bring him to trot after him; then lead him often in the saddle. Then put on a small weight, and gradually increase it. Then let one hold and another mount him, and ride after another horse in a ploughed field, till he learns the use of the bit, and will stop or go on at your pleasure. By this easy method you will break your colt without breaking his spirit.—[N. E. Farmer.]

FOREIGN INTELLIGENCE.

LATER FROM EUROPE.—By the *Henry IV.*, from Havre, we have Paris papers to 10th ult. inclusive; and by the *York*, from London, papers of the 11th are received from that city.

Their aspect, as to the affairs of Europe, is decidedly pacific; though Holland still held out, and refused assent to the recent propositions made by France and England. Meantime the Scheldt was closed by the Dutch gun-boats off Lillo; one of which had boarded an Austrian vessel from Antwerp, and sent her back, saying that no European vessel could pass in or out.

The French army had returned to France. The

division under General Sebastiani was at Lisle on the 4th ult., and the whole was to be concentrated there, when the King was to review them; after which, says Marshal Gerard in an order of the day, "they were no longer to be kept upon a footing of war; neither were they to be placed on the peace establishment, but to remain on a footing of readiness (*pie de rassemblement*)."

The French Chamber of Deputies, on the 2d instant, passed a law, only 24 dissenting, to repeal the law of 1816, for keeping the anniversary of 21st January. The Peers, it was anticipated, might not concur. In an order of the day, dated 31st December, Marshal Gerard, after thanking the Army for their conduct, says, that in the memorable siege just finished, they had dug 1400 metres of trenches, fired 63,000 rounds of artillery, captured 5000 troops, and lost in killed 608 men. The King and the Dukes of Orleans and Nemours left Paris on the 7th for Valenciennes, when the King is to review Marshal Gerard's army.

The Gazette de France, of 9th ult. announces as certain, that the King of Holland had refused assent to the new proposition made by France and England.

The arrest and imprisonment of the Duchess of Berri were discussed in the Chamber of Deputies on the 5th, on the report of the Committee to which the various petitions for her liberation, from individuals and different parts of the country, were referred. The conclusion of the Committee was, that the House should, as to the prayer of the petitioners, proceed to the order of the day; which is virtual rejection. M. de Broglie, the Minister for Foreign Affairs, sustained this conclusion, and made it the occasion of explaining the course and intention of the Government with regard to this Princess—whom he declared they meant to retain in captivity so long as the interest and safety of the State should require, without subjecting her to any trial. We will endeavor to find room for at least parts of the discussion which ensued: in which *Messrs. de Bro-*

glie, Berryer, Odillon Barrot, and Thiers took part.

Count Sosthene de la Rochefoucauld has been condemned to three months imprisonment and a fine of 1000 francs, for having published a pamphlet tending to bring the King into contempt.

Joseph Bonaparte has, according to the London Times, been intriguing for the restoration of the Bonaparte dynasty in France; and allusion is made to a memorial said to have been presented in his name, in the Chamber of Deputies. Our French papers make no mention of it.

The Elections in Great Britain were over, and the following is the result:

In England, Reformers	394	Conservatives	100
Ireland, do.	44	do.	9
Scotland, do.	80	do.	25
	518		144

making altogether a proportion of about five to one in favor of liberal principles.

STILL LATER.—The New-York, from Liverpool, brings us papers from London of the 15th. The Dutch King's answer had been received, but not made public. The Times of 15th, says in relation to it:

The recent communication from the King of Holland will not, we trust, be made by Lord Palmerston and his colleagues of the Conference a peg for the support of a hundred further Protocols. The country is in no temper to endure such trifling. If the King of Holland profess a desire for peace, let him open the Scheldt to the trade of England and of Europe; or, if he will not spontaneously, let it be done for him. We have men-of-war in abundance, and they could not be more worthily employed. The King of Holland, in common consistency, must be grateful to this Government for helping him to act upon his own professions. But we seriously protest, on the part of this country, against any longer indulgence of delay, or demonstration of weakness in our foreign policy. Our allies, Russia, Prussia, and Austria, profess an anxiety for peace; why are they not called upon to show their sincerity by an immediate co-operation with England and France in some decisive measure to compel the King of Holland to abandon that absurd and mischievous policy which alone endangers the tranquility of Europe? This is the plain and simple course, and ought instantly to be adopted.

There is nothing of moment from the Continent in these papers. The Royal Family of France were at Lille, where that of Belgium was to join them, and the review of Marshal Gerard's army was to be a magnificent sort of fête.

The President's Proclamation had been received in London, and is published at length and warmly commended in the Times and Courier. Other papers head their news articles on the subject—"Preparations for Civil War in the United States!"

MEETING OF PARLIAMENT.—We announced yesterday that parliament was to proceed with the public business in the first week of February. We are now enabled positively to state, that no delay in the despatch of business will take place after the 29th instant, (the day on which the Writs are returnable,) beyond what is absolutely necessary for the observance of the formalities which must accompany the opening of a new Parliament.—[London Courier, 13th.]

[Correspondence of the Journal of Commerce.]

London, Jan. 14.—It was understood that the Council of Ministers held yesterday was on the same subject which has for some time occupied their attention—the important subject of Church Reform. The plan will, we trust, be of a searching nature, and as extensive in its remedial provisions as are the evils which demand a cure.

The Dutch King's answer has arrived in the mail-packet the Attwood, and consists of a counter-project which it is proposed to submit to all the five Powers, although one of them has formally withdrawn from the Conference. Upon the whole we have reason to believe that, with an air of approach and moderation, the new proposals are concocted in the same bad faith and spirit of procrastination which have attended these negotiations on the part of the King of Holland from first to last.—[Globe.]

By the accounts from Oporto, it appears that Don Pedro's forces have at length found a leader of talent and resolution, in the French General Solignac, who has been appointed Commander-in-Chief, and who has already shown much activity and boldness. He is a veteran trained in the school of Napoleon, and served, it is said, in Portugal, under Marshal Junot. No movement on either side has taken place since the repulse of Don Pedro's attack on Villa Nova.

LONDON, JAN. 14.—After an intermission of maritime communication with Oporto for nearly a month, we have at last received despatches from that city of a very recent date. The last letters of our correspondent extend to the 6th inst., and contain a description of the regular series of events from the middle of December to that time.

Though no affair of great importance has occurred within the last month, the parties are always in presence of each other, and hostilities of one kind or another are of daily occurrence. The chief skirmish within this period took place on the 17th ult., when a party of the troops of Don Pedro made a sortie to the south side of the river to remove some wine belonging to the Wine Company of the Douro from the lodges of the said company in Villa Nova.

The detachment of the ex-Emperor's force was not large, consisting only of about 600 or 800 men, and though partially successful, accomplished their object only at a considerable loss of lives, and by endangering the British ships of war which our Government is obliged to maintain on that station for the protection of British property. The loss which it occasioned was by no means repaid by the capture of some pipes of wine, and the plunder or conflagration of a convent.

It would appear from our letter of the 18th ult., that Don Miguel has at last arrived at his army. It is singular that the siege should have continued for seven or eight months without such a visit from the Usurper, and that he should have been at Braga and other towns north of Oporto, without repairing to the army which is fighting his battles.

But our correspondent announces the arrival of a more important succor to the cause of Don Pedro, in the person of General Solignac, than the Miguelite army has received in that of their chief. The General is admitted to be a good soldier, and provided he can inspire such confidence into the Emperor as to obtain the absolute direction of the war, the transference of the command to him cannot but be beneficial.

It seems to be the general impression in Oporto that a decisive blow is soon to be attempted, and that it will crown the constitutionalists with success. No result could be more auspicious for humanity and freedom.

Order of Don Pedro.

"Lieut. Gen. Baron I. Baptiste Solignac, having offered me his services in the cause of my august daughter, Donna Maria II., Queen of Portugal, and being desirous of testifying my sense of such generous sentiments, and of the valor and experience which have for so many years acquired him the most merited military reputation, I have thought fit, in Her Majesty's name, to promote the said Lieut. General Baron I. B. Solignac to the rank of Marshal of the Army, and appoint him Major General of the Army under my immediate command. The said Marshal will in this quality immediately proceed to organize the head quarters as he shall judge best for the service, and will propose to me the officers to be employed at the same head quarters."

"DON PEDRO, Duke of Braganza."

"AGOSTINHO JOSE FERREIRA."

"Palace of Oporto, Jan. 3."

HULL, JAN. 10.—The City of Edinburgh steamer arrived off Brighton yesterday; sailed from Oporto on Saturday last, and from Vigo on Sunday night, the 6th inst. She reports that the French troops had arrived in the London Merchant, and that Don Pedro was about to make an attack on the Miguelite fort which commanded the entrance of the Douro.

All are said to be in good spirits.

SPAIN.—London, Jan. 12.—Letters have arrived from Madrid this morning of the 31st ult., which state Count Orlaia had accepted the Ministry of the Interior. It does not appear, however, that the resignation of Zea Bermudez, which was stated some days back in the Paris papers, has actually taken place. It is affirmed that the utmost cordiality and desire of mutual co-operation existed between those two Ministers.

LIVERPOOL, Jan. 15, 1833.

GREAT FIRE AT LIVERPOOL.—Last night 10,000 bales of cotton were destroyed by fire, and property

altogether to the amount of £300,000. But our Cotton market to-day was dull, holders appearing determined to be free sellers.

Another letter says, "fifteen warehouses were destroyed, and 10 to 12,000 bales of Cotton, and a large amount of other produce, estimated to be worth upwards of £200,000." The fire was in the neighborhood of Bath-street.

The fire commenced about 11 o'clock, on the night of the 14th, in the neighborhood of Bath street, supposed in a painter's shop, and soon extended to the large ware houses in Lancelot's hay, four or five of which were soon enveloped in flames.

"Every thing was now consternation and alarm. The quantity of valuable property in these premises caused the utmost anxiety, and, as may readily be conceived, the most strenuous exertions were made to preserve the buildings from destruction, or to rescue their contents. The exertions of the men employed upon this laborious and hazardous task were amazing. From the state of the premises, and the intolerable heat thrown off even at a distance, their condition must evidently have been little short of suffocation; yet they continued to work with undiminished ardor, like men determined to abide the last extremity. In this perilous situation, they continued throwing out the bales of cotton, one after another, into the street—nor did they quit their work until the flames pressed round them on every side, and there was no longer a passage for their retreat. During all this time, the spectators outside were watching them with intense anxiety, giving expression continually to alternate hopes and fears respecting them; the interest in their fate became more and more intense, in proportion as their position seemed to be more desperate, and the repeated inquiry was,—what would become of them? After a while, a volume of smoke was seen to rush out of the rooms, for a time hiding all from view. An instantaneous cry was raised by the people outside, for the men to make their escape at once. But they appeared to have calculated all the exigencies of their situation, and knew the danger themselves. With a presence of mind which showed they were prepared against every emergency, they immediately ran to the jigger-rope, turned it into a fire-escape, and when the smoke had cleared away, they were seen descending the rope like a swarm of monkeys, and jumping, one by one, into the street. As the last man was leaving the room, a volume of flame sprung out at the door, as if in vengeance for having lost its prey; the poor fellow, however, jumped at the rope with an eagerness that told that there was life in the grasp, and descended in safety among his companions.

"The cotton saved from these warehouses, as it was thrown into the street, was piled up by other hands, till it formed a heap reaching to half the height of the houses in Lancelot's hay."

"The rapidity with which the fire continued its ravages was almost incredible. Several buildings in Bath-street had now fallen victims to its fury, and three or four in Lancelot's hay were now in the midst of it, like stubble. It was like an instantaneous blaze, a conflagration without any beginning, so swift and sudden were its effects. Scarcely was the attention directed to the partial emission of the flames in a fresh spot, before the floors and beams gave way, and the roofs came tumbling in, and the unbroken, universal blaze stretched up to heaven in the pride of its absolute possession."

The cotton in the street took fire about 3 o'clock, and the flames were communicated to the dwellings on the opposite side of the way, forming the two corners of Union-street, spreading the utmost consternation among their inhabitants, who barely escaped with their lives, saving little or none of their furniture. About this time the wall of a new warehouse facing the end of Union-street, belonging to Mr. Molyneux, fell into the street, and buried several persons under its ruins. One man had been taken out dead. Several persons were seriously injured and carried to the Hospital. Col. Jordon, the inspecting field-officer of the district, was so much injured by the falling of a wall, that it was found necessary to amputate his right leg above the knee. The shipping on Princess Dock were several times in imminent danger from the falling flakes. The value of property consumed is calculated at 150,000 pounds, against which there are insurances to the amount of 120,000 pounds.

French Funds, Paris, Jan. 12.—Five per Cents., 100f. 70c.; Loan of 1833, 100f. 75c. 101f. 15c.; Four per Cents., 87f. 60c.; Three per Cents., 72f. 20c.; National Loan, 100f. 80c.; Bank Stock, 1,660f.

MISCELLANY.

[From Gardiner's "Music of Nature."]

ORATORY.

Before knowledge was conveyed by the art of writing, or the use of books, men resorted to an elevated mode of speaking when they had any thing to communicate, in which the common interests were concerned; and as circumstances arose, oratory or public speaking must have prevailed with the ancients more than ourselves. The feelings of a speaker in addressing a large assembly are not those of common life. He is excited by the multitude around him and becomes the focal point of every eye, and every ear. In a situation like this, his passions are roused; nature dictates the tone of voice in which he speaks; and what in ordinary conversation would be expressed in many words, he forcibly depicts by a figure. Oratory is the language of the passions and we catch fire by what is kindled in another. In ordinary speech we distinguish more nicely, and our descriptions may come nearer to the truth; but in oratory we yield to sympathy, what we refuse to description. There is a moving tone of voice, as Mr. Burke observes, an impassioned countenance, and agitated gesture, which affects independently of the things about which they are excited; so there are words which touch and move us, under the influence of passion more than any other. It is this moving tone of voice, and these emphatic words, that constitute the powerful efforts of oratory. It is said of Cæsar, when addressing his army, he chose long words for their grandeur. It would have been more correct to say—that he chose sonorous words, those that were full of sound and would fly to the farthest point of his battalion. A powerful voice is one of the first requisites of a good speaker, and he will not fail to use the clearest and best parts of it for the drift of his discourse, reserving the extremes for particular effects.

The pitch should be that of a tenor, or middle voice. Mr. Denman's is rich and sombre, but rather too low. Mr. Burke's was, on the contrary, too high—a sort of lofty cry—soaring too much in alto. Clearness and distinctness is an indispensable quality. An indistinct utterance is not only painful to the ear, but causes a great labor of attention, which ought not to be occupied with the words, but the ideas. From the following description of Lord Chatham, the great Pitt, we may conclude that he was an orator of the first description. "His voice was both full and clear; his lowest whisper was most distinctly heard; his middle tones were sweet, rich, and beautifully varied. When he elevated his voice to its highest pitch, the House was completely filled with the volume of sound; the effect was awful, except when he wished to cheer and animate; and then he had spirit-stirring notes which were perfectly irresistible. He frequently rose on a sudden from a very low to a very high key (note); but it seemed to be without effort. His diction was remarkably simple, but words were never chosen with greater ease. He was often familiar, and even playful; but it was the familiarity and playfulness of condescension—the lion that dangled with the kid. The terrible, however, was his peculiar power.—Then the whole House sunk before him. Still he was dignified and wonderful, as was his eloquence; it was attended with this important effect, that it impressed every hearer with a conviction that there was something in him finer even than his words; that the man was infinitely greater than the orator." It is important that the tone of voice should invite attention; the finest strains of eloquence, delivered in the same level tone, always fail to produce much effect. Musically speaking he is the best orator, who has the greatest number of tones at his command, who unites the upper and lower voices to his natural speaking voice.

Mr. Kean possesses these qualifications in the highest degree. He has at his command the greatest number of effects—having a range of tone from F below the line to F above it—the natural key of his voice being that of B flat, a note lower than Talma's. His hard guttural tone upon G is as piercing as the third string of a violoncello; whilst his mezzo and pianissimo expressions are as soft as from the voice of a woman. He has three distinct sets of tones; as if he occasionally played upon a flute, clarinet, and bassoon, which he uses as the passion dictates. In the scene with Lady Ann his notes are of the most touching and persuasive kind, often springing from the harmonies of his natural voice, which he elicits with exquisite delicacy. We shall instance the peculiar softness of the following expressions:—

You mock me, mother. Remember.

But the same voice, which moved with a ruder stroke, gave the yell and choked utterance of a savage.

Shylock. Oh! if I can catch him once upon the hip.

His tones of furious passion are deep seated in the chest, like those of the lion and tiger, and it is mastery over these instinctive tones by which he so powerfully moves his audience. At times he vomits a torrent of words in a breath, yet avails himself of all the advantages of deliberation. His pauses give a grandeur to his performance, and speak more than words themselves.

The French actors know nothing of this music of the voice; their recitation is disagreeably high and chanting. In the year 1822, the writer was present at the play of "Regulus," in Paris, and saw their famous actor Talma, who is certainly a great exception to this remark. The tone of his voice was strikingly clear, sonorous, and beautiful.

In his whisper there was something touching and divine. The character of Regulus, in which he appeared, was evidently interred to represent that of Bonaparte; and at the following expression—

Tremblez, tremblez, Tyrans—

the shouts of applause were, if possible, more loud and uproarious than any thing heard in England.

The voice of Cooke was sharp and powerful, possessing little variety, and none of the softer inflections. In compass and celerity of vocal motion he was superior to any other orator, which peculiarly adapted him for scenes of villany.

Words lengthen or shorten under the passion with which they are uttered; in anger, we hurry over them; in grief, we dwell upon them.

Kemble had a voice of very limited powers, and of a level tone, which, without his talent as an actor, would have interested little. That hollowiness so peculiar to him, rather increased than diminished certain effects; as in the character of the Stranger. His haggard look, and deep sepulchral tones, which struck awfully upon the ear—like the croak of night's funeral bird,—admirably qualified him to depict the workings of a mind weighed down with sorrow and irretrievable calamity.

So powerfully are we affected by the tones of voice, that it is often of more importance to the just representation of character, than any other qualification we may possess. The delicious sweetness and charming tone of Miss Murray's voice can never be forgotten, and the accents of Miss O'Neil, if possible, were more beautiful than herself.

Macready, though an actor of great eminence, possesses but few of these excellencies. His voice is hard and croaking, and though his figure is well suited, his tones belong not to Hamlet. By aiming too much at distinction he incurs a false pronunciation of the vowels, which proceeds from his drawing back too much the corners of his mouth; so that we have *scarn*, for *scorn*; *go farth*, for *go forth*; *harrible!* *harrible!* for *horrible!* *horrible!* His *sotto voce* is more perfect; in the scene where he gives instruction to the players, he is highly natural and pleasing.

A voice adapted to the character is as necessary to the drama, as a particular instrument to the orchestra, to express the idea of the composer.

The great inattentions shown to this often renders the character unnatural and ridiculous; as in common life, we meet sometimes a stout athletic man with the piping voice of a child, and a spare, slender creature with the hollow tone of a giant. Why are we so convulsed with laughter at the incomparable Liston? Perhaps the oddity arises from the junction of his pompous voice with the mean and senseless character he personates. It is like putting the grave and sententious expression of a Lord Chancellor into the mouth of an idiot. This swelling of the words in a dignified character has its due effect; for, as Lord Pembroke observed, Johnson's sayings would not have appeared half so extraordinary but for his bow-wow way.

Liston's powers are of the highest order. His *voce dipetto* is perfect, and the range of his voice is more extensive than any performer upon the stage. These qualifications would have given him the greatest advantages in tragedy; but then the singularity of his performance would have been destroyed. It is this odd union of voice, face, and figure, that renders him so unlike any other actor,—so truly comic, with a humor so unique, that no one has yet dared to imitate him.

At the bar, or in the pulpit, oratory has seldom risen to its highest pitch of excellence. There wants the action and business of the stage to keep alive the passions of the mind. It is true the actor has

nothing to do with the invention of the images or sentiments; they are furnished by the poet. He has only to depict them by appropriate voice and gesture.

Mr. Burke's oratory was of a contrary kind,—nothing could exceed the flow of his language, and the powers of his imagination. At the trial of Warren Hastings, his shrill voice rang through the hall, but it was cold and ineffective. There wanted the darker tones, to clothe the sublime images of his fancy. As it regarded the effects of voice, there was more natural eloquence in the prisoner at the bar when he called upon the lords to save him from the fury of his accusers.

In the pulpit, the want of vocal expression is still more apparent. The preacher is in too great possession of the field. The familiarity of the subject and the want of novelty beget a sameness of tone, that wearies the attention and destroys the interest.

As an exception to this remark, we may mention the performance of the Rev. Mr. Irving, at the Scotch church, which is purely a musical exhibition, not a little aided by dress and gesture. His voice is that of a clear sonorous basso of considerable compass.

In manner he is slow and reverential, never hurrying beyond the time adagio,—carefully using the right tone for the particular passion.

His prayer commencing with the words, "Almighty and most merciful Father, in whom we live, move and have our being," reminded me of that slow and solemn strain of deep holding notes, gradually ascending, which describes the rising of the moon in Haydn's *Creation*.

Although the advantages of a musical voice have been fully shown, yet there are speakers of great eminence but little qualified in this particular. As an instance we may mention the extraordinary powers of the late Rev. Robert Hall, of Leicester, whose voice was naturally so deficient in strength, that in a large auditory he was heard with difficulty: yet the stores of his mind and the brilliancy of his conceptions place him in the first rank of orators. His delivery, though feeble, was peculiarly neat and graceful, and when urged by the fire of his imagination, became so rapid that no short-hand writer was able to take down his words. The scintillations of his fancy and the flow of his eloquence may be compared to that of Burke; and as a writer of the English language, he is not surpassed by any one, ancient or modern.

From the earliest state of society to the present time, the power of oratory has been felt and acknowledged. In savage states, recently discovered, the chiefs and rulers have obtained their power by the influence of this noble and enthusiastic art; and we may conclude that, as language refines, with grace of action and the pomp of words, its influence will keep pace with the polish of society.

HOME AFFAIRS.

CONGRESS.

The following is a copy of the Bill introduced into the Senate by Mr. Clay, on Tuesday, 12th inst.:

A Bill to modify the Act of the 14th July, 1832, and all other Acts imposing duties on imports.

1. Be it enacted, &c. That, from and after the 30th day of September, 1833, in all cases where duties are imposed on foreign imports by the act of the 14th day of July, 1832, entitled "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per cent. on the value thereof, one tenth part of such excess shall be deducted; from and after the 30th day of September, 1835, another tenth part shall be deducted; from and after the 30th day of September, 1837, another tenth part thereof shall be deducted; from and after the 30th day of September, 1839, another tenth part thereof shall be deducted; and from and after the 30th day of September, 1841, one half of the residue of such excess shall be deducted; and from and after the 30th day of September, 1842, the other half thereof shall be deducted.

2. And be it further enacted, That so much of the second section of the act of the 14th of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or kental cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per cent. ad valorem, shall be, and the same is hereby repealed. And the said articles shall be subjected to the same duty of fifty per cent. as is provided by the said second section for other manufactures of wool, which duty

shall be liable to the same deduction as are prescribed by the first section of this act.

3. And be it further enacted, That until the 30th day of September, 1842, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money, and laid for the purpose of raising such revenue as may be necessary to an economical administration of the government; and for that purpose shall be equal upon all articles according to their value, which are not by this Act declared to be entitled to entry subsequent to the said 30th day of September, 1842, free of duty. And, until otherwise directed by law, from and after the said 30th day of September, 1842, such duties shall be at the rate of 20 per cent. ad valorem. And from and after that day all credits now allowed by law in the payment of duties, shall be, and here by are, abolished: Provided, That nothing herein contained shall be construed to prevent the passage of any law, in the event of war with any Foreign Power, for imposing such duties as may be deemed by Congress necessary to the prosecution of such war.

4. And be it further enacted, That, in addition to the articles now exempted by the existing laws from the payment of duties, the following articles imported from and after the 30th day of September, 1833, and until the 30th day of September, 1842, shall also be admitted to entry free from duty, to wit: Bleached and unbleached linens, manufactures of silk, or of which silk shall be the component material of chief value, coming from this side of the Cape of Good Hope, and worsted stuff goods, shawls, and other manufactures of silk and worsted.

5. And be it further enacted, That from and after the 30th day of September, 1842, the following articles shall be admitted to entry free from duty, to wit: unmanufactured cotton, indigo, quicksilver, opium, tin in plates and sheets, gum arabic, gum Senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, tumeric, woad or pastel, aloes, ambergris, Burgundy pitch, cochineal, camomile flowers, coriander seed, catsup, chalk, coculus indicus, horn plates for lanterns, or horns, other horns and tips, India rubber, manufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, manufactured rattans and reeds, tortoise shell, tin foil, shellac, vegetables used principally in dyeing and composing dyes, weld and all articles employed chiefly for dyeing, except prussiate of potash, chromate of potash, aquafortis and tartaric acids, and all other dyeing drugs, and materials for composing dyes.

6. And be it further enacted, That so much of the act of the 14th July, 1832, or of any other act, as is inconsistent with this act shall be, and the same is hereby repealed: Provided, That nothing herein contained shall be so construed as to prevent the passage, prior or subsequent to the said 30th day of September, 1842, of any act or acts from time to time, that may be necessary to detect, prevent, or punish, evasions of the duties on imports, imposed by law.

Wednesday, Feb. 13.—IN SENATE.

Mr. Webster submitted the following resolutions, which lie on the table one day of course.

Resolved, That the Annual Revenues of the country ought not to be allowed to exceed a just estimate of the wants of the Government: and that as soon as it shall be ascertained with reasonable certainty that the rates of duties on imports, as established by the Act of July 14, 1832, will yield an excess over these wants, provision ought to be made for their reduction, and that in making this reduction, just regard should be had to the various interests and opinions of different parts of the country, so as most effectually to preserve the integrity and harmony of the Union, and to provide for the common defence and promote the general welfare of the whole.

But whereas it is certain that the diminution of the rates of duty on some articles would increase, instead of reducing the aggregate amount of revenue collected on such articles as it has been the policy of the country to protect, a slight reduction on one might produce essential injury, and even distress to large classes of the community, while another might bear a large reduction, without any such consequences; and whereas also, there are many articles, the duties on which might be reduced, or altogether abolished, without producing any other effect than the reduction of revenue: Therefore

Resolved, That in reducing the rates of duties imposed on imports by the Act of the 14th July aforesaid, it is not wise or judicious to proceed by way of

an equal reduction per centum on all articles, but that as well the amount as the time of reduction ought to be fixed, in respect to the several articles, distinctly, having due regard, in each case, to the question, whether the proposed reduction will affect revenue alone, or how far it will operate injuriously on those domestic manufactures hitherto protected especially, such as are essential in time of war, and such also as have been established on the faith of existing laws; and above all, how far such proposed reduction will affect the rates of wages, and the earnings of American manual labor.

Resolved, That it is unwise and injudicious, in regulating imports, to adopt a plan hitherto equally unknown in the history of this Government and in the practice of all enlightened nations, which shall, either immediately or prospectively, reject all discrimination in articles to be taxed, whether they be articles of necessity or of luxury, of general consumption or of limited consumption, and whether they be or be not such as are manufactured and produced at home; and which shall confine all duties to one equal rate per centum on all articles.

Resolved, That since the people of the United States have deprived the State governments of all power of fostering manufactures, however indispensable, in peace or in war, or however important to national independence, by commercial regulations, or by laying duties on imports; and have transferred the whole authority to make such regulations and to lay such duties to the Congress of the United States; Congress cannot surrender or abandon such power compatibly with its constitutional duty; and, therefore,

Resolved, That no law ought to be passed on the subject of imports, containing any stipulation, express or implied, or giving any pledge or assurance, direct or indirect, which shall tend to restrain Congress from the full exercise at all times hereafter, of all its constitutional powers, in giving reasonable protection to American industry, countervailing the policy of foreign nations, and maintaining the substantial independence of the United States.

The resolutions were read, and on motion of Mr. Dallas ordered to be printed.

The bill to modify the Act of July 14, 1832, and all other acts imposing duties on imports, was read a second time.

The motion to refer the bill to the Committee on Manufactures was lost,—ayes 12 noes 26.

The motion to refer it to a Select Committee, was then agreed to, without a division.

The bill to continue the Cumberland Road from Vandalia, Illinois, to Jefferson in the State of Missouri, was read a third time and passed.

The Act to amend an Act supplementary to an Act, entitled an Act for the relief of certain surviving officers and soldiers of the Revolution was considered, read a third time and passed.

Mr. Robbins, from the Committee on the Library, reported a bill to authorize a contract for a bust in marble, of the late Chief Justice Ellsworth, which was read and ordered to a second reading.

The act making appropriation for the naval service for the year 1833, was read twice, and referred to the Committee on Finance.

The Chair called the special order.

Mr. Poindexter reminded the Senate, that at one o'clock, they would have to proceed to the House of Representatives, to count the votes for President and Vice President, and moved to lay the special order on the table. The motion was agreed to.

Soon after a message was received from the House of Representatives, informing the Senate that the House was ready to proceed to count the votes for President and Vice President, whereupon the Senate proceeded to the House, and on their return, adjourned to meet at five o'clock in the evening.

HOUSE OF REPRESENTATIVES.

Mr. Polk, from the Committee of Ways and Means reported a bill authorizing the Secretary of the Treasury to sell at the market, and not less than the par value, the Government Stock in the Bank of the United States. Rejected, 102 to 91.

Election of President and Vice President.

At one o'clock, the two Houses met in the Hall of Representatives, to count the votes for President and Vice President, of the United States, for the term of four years from the 4th of March next.

Messrs. Grundy of the Senate and Drayton and Hubbard of the House of Representatives, acted as tellers.

The President of the Senate opened the ballots, commencing with the State of Maine, when they were examined, and the certificate of the vote read aloud by the tellers. The following is the official result:

States.	FOR PRESIDENT.				VICE PRESIDENT.				
	Jackson.	Clay.	Floyd.	Wirt.	V. Buren.	Sargent.	Wilkins.	Lee.	Elizabet.
Maine.....	10	.....	.....	.....	10	.....	.....	.....	.....
New Hampshire.....	7	.....	.....	.....	7	.....	.....	.....	.....
Massachusetts.....	14	.....	.....	.....	14	.....	.....	.....	.....
Rhode Island.....	4	.....	.....	.....	4	.....	.....	.....	.....
Connecticut.....	8	.....	.....	.....	8	.....	.....	.....	.....
Vermont.....	7	.....	.....	.....	7	.....	.....	.....	.....
New York.....	42	.....	.....	.....	42	.....	.....	.....	.....
New Jersey.....	8	.....	.....	.....	8	.....	.....	.....	.....
Pennsylvania.....	30	.....	.....	.....	30	.....	.....	.....	.....
Delaware.....	3	.....	.....	.....	3	.....	.....	.....	.....
Maryland.....	3	.....	.....	.....	3	.....	.....	.....	.....
Virginia.....	23	.....	.....	.....	23	.....	.....	.....	.....
North Carolina.....	15	.....	.....	.....	15	.....	.....	.....	.....
South Carolina.....	11	.....	.....	.....	11	.....	.....	.....	.....
Georgia.....	11	.....	.....	.....	11	.....	.....	.....	.....
Kentucky.....	15	.....	.....	.....	15	.....	.....	.....	.....
Tennessee.....	15	.....	.....	.....	15	.....	.....	.....	.....
Ohio.....	21	.....	.....	.....	21	.....	.....	.....	.....
Louisiana.....	5	.....	.....	.....	5	.....	.....	.....	.....
Indiana.....	9	.....	.....	.....	9	.....	.....	.....	.....
Mississippi.....	4	.....	.....	.....	4	.....	.....	.....	.....
Illinois.....	5	.....	.....	.....	5	.....	.....	.....	.....
Alabama.....	7	.....	.....	.....	7	.....	.....	.....	.....
Missouri.....	4	.....	.....	.....	4	.....	.....	.....	.....
	219	40	11	7	189	49	30	11	7

Only 286 votes were returned, two having been lost from the sickness of the Electors, or other accident. The majority for Jackson was declared to be 145.

The President of the Senate then pronounced the result, when the Senate retired to their Chamber. The House then adjourned.

(Reported for the Journal of Commerce.)

Thursday, Feb. 14.—IN SENATE.

Mr. Smith from the Committee on Finance, reported the Bill from the House making appropriations for the Naval Service of the United States, for the year 1833.

Tariff Resolutions.

The Senate proceeded to the consideration of the resolutions which were yesterday submitted by Mr. Webster.

After the resolutions were read,

Mr. Webster said that it had, for some time, been his wish to express his opinions on this interesting subject, in the form of resolutions, and to follow them up with a few explanatory remarks. He was willing to say now what little he intended to say, but he was unwilling to interrupt the progress of the bill which, by a standing order, was to be called up at 12 o'clock. If the gentleman (Mr. Rives) who proposed to occupy the floor to-day on that subject, was now ready to proceed, he would postpone his remarks on the subject of the resolutions until to-morrow.

Mr. Rives was prepared, he said, to proceed now, if such was the pleasure of the Senate, or to suspend his observations until after the Senator from Massachusetts had been heard.

The Resolutions were then laid on the table, with general consent, and at a quarter before twelve the Special Order was called up, being the

Revenue Collection Bill.

Mr. Rives, of Virginia, took the floor, and after a modest exordium, in which he alluded to the embarrassment under which he labored, as a stranger to this body, almost a stranger in his own country, though in feeling he had never been separated from it,—and a total stranger to the new doctrines which had sprung up in the country during his absence—he went on to examine the question, upon the fundamental principles of the Constitution, which are deeply rooted in the mind of every citizen. The new doctrines which he had heard from members of this body, went, he said, not to a single portion or principle of the Constitution, but to the whole frame and structure of our Government—to its very existence. He begged leave to state, in the outset, that no one was more opposed to the policy of the protective system than himself. He had often raised his voice against it in the other House, as a system unjust, and in its operation unequal.

Mr. Rives concluded his remarks at three o'clock, when the Senate took a recess till five o'clock.

Half past Five.

Gen. Smith is speaking in the Senate, but will not speak long.

Mr. Calhoun has just remarked that he will speak to-morrow, if the Senate will adjourn. But it is doubtful whether the majority will consent to an adjournment. There is some disposition to push the bill to a third reading.

HOUSE OF REPRESENTATIVES.

Several unimportant resolutions were submitted and adopted.

[From the Globe of Saturday.]

Analysis of Friday's Proceedings.—In the Senate, Mr. Smith, from the Committee of Finance, reported a bill authorizing the Secretary of the Treasury to place at interest the money received under the late Convention with France, until the claims thereto shall be settled. Mr. Robinson presented memorials of the Legislature of Illinois, relative to certain Land Offices in that State, and to the duty on Lead.

Mr. Ruggles presented the memorial of the Legislature of Ohio relative to the boundary line between that State and the Territory of Michigan.—Several other memorials were presented. On motion of Mr. Smith, the Senate took up the bill making appropriations for the Naval service for the year 1833; which, after being amended agreeably to the Report of the Committee, was passed. Several other bills of the House passed stages. At 12 o'clock the Senate took up the Special Order, the bill further to provide for the collection of duties on imports.

Mr. Calhoun addressed the Senate in opposition to the bill, and in justification of the course of South Carolina, nearly two hours; when complaining of a slight indisposition, he gave way to a motion by Mr. Webster to lay the Special Order on the table, which was agreed to. The Chair laid before the Senate communications from the Secretary of the Treasury accompanying statements of the Foreign Commerce of the United States and various other statements prepared in pursuance of law. Various private bills passed stages, when the Senate adjourned.

In the House of Representatives, after the transaction of unimportant morning business, the House resumed the balloting for Printer, as follows:

	11th	12th	13th	14th
Gales & Seaton,	91	94	93	99
F. P. Blair,	90	91	90	94
Duff Green,	7	3	2	1
Condy Raguet,	5	5	2	2

Gales & Seaton, having received a majority of all the votes, were duly elected Printer to the House for the 23d Congress. The House then adjourned.

Saturday, Feb. 16.—IN SENATE.

Mr. Kane presented a petition from the President of Union College, Illinois, praying for a grant of land.—Referred.

Mr. Smith from the Committee on Finance, reported a Bill to amend an Act entitled an Act to amend the several Acts imposing duties on imports passed July 14, 1832, which was read, and ordered to a second reading. [The amendment proposed by this Bill relates merely to certain manufactures of copper—still chiefly.]

At 20 minutes before 12 o'clock, the Senate resumed the consideration of the Special Order, being the "bill further to provide for the collection of duties on imports."

Mr. Calhoun resumed his remarks in opposition to the Bill. He took a wide survey of the theory of Confederated Governments, as illustrated by History, ancient and modern; attempted to show that they were the only safe governments; that they had all been destroyed by the attempts made to concentrate and consolidate the powers reserved to the individual States; that a Government founded on majorities must necessarily lead to despotism, for it could have no limitations of power. He made much use, by way of illustration, of the History of the Ten Tribes of Israel, and it really seemed to stand him in very good stead. He traced the causes of their separation with a masterly hand, and showed that they were analogous to those causes which threaten our Union. The correctness of his theory he subjected to the test of the powers of analysis and combination, which, he said, God had bestowed upon man, to enable him to ascertain moral and political truths with as much certainty as, by the same powers, he could display the solar system, or the earth upon which we tread. He could demonstrate, by the application of his theory to the circumstances in which we are placed, that our form of government, as now understood and administered, must end in the government of one man. This day we had come hither to try the question whether there were any limitations to our government or not. From this point, Mr. Calhoun proceeded to apply his principles, immediately, to the present state of things in this country. [He appeared to be unwell, during the whole speech, and once or twice, he requested indulgence while he paused for a moment; and finally, he closed his remarks, hastily and prematurely, from physical inability to proceed. The effort was better than that of yesterday.]

Mr. Webster followed and spoke till the hour ap

pointed for the recess, 3 o'clock. He spoke, not so much in reply to the speech just delivered, as in opposition to the South Carolina doctrines, as he ascertained them from the Resolutions recently submitted by the Senator from South Carolina, and his several speeches in relation to the message and the bill.

An adjournment instead of a recess, was tendered to Mr. Webster, but, considering, he said, the pressing nature of the Bill, he was unwilling to delay it for his own convenience, and he would therefore prefer to finish what he wished to say, this evening.

At 5 o'clock, he will resume his speech. There will be no question taken to-night, for Mr. Calhoun is to reply to Mr. Webster at length next week.

P. S. Half past 8.—Mr. Webster has just finished his argument in reply to Mr. Calhoun, and in opposition to the South Carolina doctrines. He spoke altogether over five hours. His peroration elicited loud and universal demonstrations of applause from the galleries and privileged seats on the floor. The galleries were immediately cleared by order of the Chair.

Mr. Poindexter took the floor for Monday.

HOUSE OF REPRESENTATIVES.

The House, on motion of Mr. R. M. Johnson, went into Committee of the Whole on the State of the Union, Mr. Taylor in the Chair, upon the following bills:

1. A bill making appropriations for support of the Army, for the year 1833.
2. A bill making appropriations for the Indian Department for the year 1833.
3. A bill making appropriations for the Engineer and Ordnance Departments, for 1833.
4. A bill making appropriations for the erection of certain fortifications.
5. A bill in addition to an Act for the gradual increase of the Navy.
6. A bill for the more perfect defence of the frontiers: and
7. A bill extending the session of the Legislative Council of Michigan.

The Committee rose and reported the foregoing bills to the House with various amendments. The amendments to the first, second and fifth bills were concurred in, and they were ordered to be engrossed and read a third time. The other bills were laid on the table.

At an early hour, the House adjourned.

[The adjournment took place at ten minutes before 2 o'clock—one third of the whole sitting having been occupying in taking the yeas and nays on motion to adjourn. The proposition to adjourn began to be pushed the moment the House reached the special order—*The Tariff Bill*, and they were not discontinued till they had prevailed. Here is an other evidence, if evidence were wanting, that the House is reluctant to touch the Tariff at all, and have no wish or intention to act on the subject, at this session.]

[Reported for the Journal of Commerce.]

Monday, Feb. 18.—IN SENATE.

The Bill further to provide for the collection of duties on imports, was taken up. Mr. Poindexter, who was entitled to the floor was unable to proceed from indisposition.

HOUSE OF REPRESENTATIVES.

Mr. Polk, from the Committee of Ways and Means, reported a bill authorizing the sale of the shares owned by the United States in incorporated Canal Companies, which was read twice and referred to a Committee of the Whole on the State of the Union.

A number of Private Bills were read a third time and passed.

At one o'clock the House resumed the consideration of the *Tariff Bill*, (Mr. Verplanck's.)

The question was then taken upon the amendment reported by the Committee of the Whole, which proposed to strike out \$25 as the rate of duty for every \$100 worth of blankets, and insert \$35 with a gradual reduction so as to leave the rate in 1836 at \$20, and thereafter at \$15 permanent, which was decided in the affirmative; Yeas 114, Nays 68.

The amendment striking from the bill "ready made clothing," so as to leave the duty as by the Act of 1828, was concurred in—Yeas 100, Nays 75.

The amendment which provided that the duty on woollen manufactures generally should be \$40 for every \$100 value thereof, until 4th March, 1834, and thereafter a gradual reduction, so as to leave the duty permanent after 1836 at \$25, was concurred in—Yeas 104, Nays 72.

The amendment fixing the rate of duty on manufactures of cotton was concurred in without a count.

The amendment inserting a duty of two cents per pound on raw cotton, was concurred in,—96 to 76.

The amendment fixing the duty on fossil and mineral salt, at one third the rate of duty on salt, was concurred in.

Half past three o'clock.—The House are going on with questions on the amendments.

Tuesday.—IN SENATE.

Mr. Clay, from the Select Committee to which was referred the bill to modify the several acts imposing duties on imports, reported the bill with various amendments.

Mr. Clay stated that he was also authorized to say that at a proper time another amendment would be offered on the subject of the valuation of goods, which would be calculated to conciliate the conflicting opinions which had prevailed in reference to that point. He was happy to say that although there was so short an interval for the action of the two Houses on this bill, the Committee entertained strong hopes that it would be found practicable to effect some accommodation of this question before the close of the present session. He was directed to move that the amendments be printed, and further to move that the bill and amendments be made the special order for to-morrow, with the understanding that if the measure now pending before the Senate should not be disposed of by that time, the bill now reported would not be pressed to interfere with that discussion.

The amendments were then ordered to be printed, and the bill and amendments were then made the special order for to-morrow.

The Senate being about to pass to the third reading of the bill to provide further for the collection of the duties on imports,

Mr. Calhoun said, that as there seemed to be a desire to press this bill to its passage to-day, in order that the Tariff might be taken up to-morrow, and as he was desirous to be heard on the resolutions which he had offered in reply to the Senator from Massachusetts, he would now move the Senate to take up the resolutions with a view to make them the order of the day for Monday next.

The motion being agreed to, the resolutions were taken up, and made the order for Monday next.

LEGISLATURE OF NEW YORK.

Thursday Feb. 14.—IN SENATE.

Mr. Bronson, from the finance committee, to whom was referred so much of the Governor's Message as relates to the finances of the state made a long report on that subject, in which the committee expressed a decided hostility to the bill now before the senate for the construction of the *Chenango Canal*. The report concluded with the introduction of a bill authorizing a tax of one mill on the dollar on the inhabitants of this State for the term of two years.

Mr. Dodge, one of the committee of finance, stated that it was perhaps proper for him to say that the report just submitted, was that of the majority of the committee and not its unanimous report. He agreed with so much of it as relates to internal improvements, but dissented altogether from that part of it which recommends a direct tax. There were abundant sources of revenue without resorting to such a measure.

IN SENATE.—Tuesday.

The Senate resolved itself into a committee of the whole, on the bill for the construction of the *Chenango Canal*. The discussion of which occupied the remainder of the day.

Mr. CLAY.—A letter has just appeared in the Georgia papers, bearing date the 12th January, written by Mr. Clayton, a member of the House of Representatives from that State, in which he gives his views of the then aspect of affairs at Washington. With these we do not mean to trouble our readers; but the following extract of a letter, written more than a month ago, respecting Mr. Clay's probable course, strikes us as significant.

Clay has been heard to say, he is under no obligation to the manufacturers, for he considers that they deserted him in the late election, and therefore, it is thought, he is keeping back with his friends to come in as a mediator, in the way he settled the Missouri question. Strong expectations are entertained that he will, at a proper time, throw in a project that will harmonize the conflicts of the times. All this, however is mere conjecture, for he keeps himself very much reserved indeed.

SUMMARY.

THE POSTMASTER-GENERAL, it appears, has determined so to accelerate the pace of the mails, that the Washington papers shall be delivered here within twenty-four hours of their publication.—The mail is to leave Washington at midnight, arrive in Baltimore in time for the steamboat, which reaches Philadelphia about two o'clock, and thence an express is to be despatched for this city. The arrangement goes into effect, it is understood, from this day. The credit of it should be given, as it belongs, to the Journal of Commerce.

FIRE.—The Columbian Steam Sawmill, corner of Tenth avenue and Sixteenth street, owned by Wm. M. Johnson, Esq., and occupied by James Brown & Co., was totally destroyed by fire this morning about six o'clock. The mill cost the owner about \$10,000, on which there was an insurance of \$2500. The occupants had no insurance; their loss is about \$1200. The fire is supposed to be the work of an incendiary, as the mill had not been occupied for the last six weeks.

COLLECTION IN ST. THOMAS'S CHURCH.—The Sermon of Bishop McIlvaine, in St. Thomas's Church on Sunday evening, well sustained the high reputation which that gentleman enjoys for effective pulpit eloquence. If other evidence than a newspaper assertion of the fact is required, it may be found in the fact, that the collection received, amounted to the handsome sum of FOUR HUNDRED AND TWENTY-SIX DOLLARS AND TWENTY-SEVEN CENTS.—[Com.]

SNOW-BALLING AND SLEIGHING.—Broadway was in continual uproar on Saturday from the animation called out by the first good snow this season.—Sleighs of every possible shape and description, were continually darting to and fro, and more than one accident occurred from their collision. In one instance, a pair of horses attached to a sleigh in Broadway, broke from their harness, and started off at a furious rate—one of them taking the West sidewalk of that street, and overturning every thing in his way. When near St. Paul's Church, a little child who was passing at the time, received a severe cut in the head from a flying trace, and a gentleman near, was knocked down. The child was immediately carried to Chilton's drug store, where the wound was dressed. Another pair of horses broke from a sleigh in the Bowery, and running furiously along the sidewalk near Hester street, struck against the bow window of a grocery store, and completely destroyed it. The shoulder of the animal was much lacerated, and he continued running for a short distance further, leaving a track of blood.—[Standard.]

We are sorry to see by the following paragraph from the Mercantile, that the novelty of the occasion hurried the spirits of some beyond the bounds of propriety.

About one o'clock a mass of men and boys—amounting, says our informant, to four or five hundred—met in Broadway, between Anthony and Pearl streets, and commenced a regular attack, with snow balls, upon the sleighs that were passing, without respect to either sex or age. One sleigh in particular, containing three ladies, two girls, a gentleman and the driver, were so completely covered with the broken fragments of these missiles, that they presented more the appearance of a snow bank than of human beings. It was not long, however, before Justice Wyman sent his officers among them, when several were arrested and held to bail, in \$100 each, for their appearance at the next session.

NEW-ORLEANS, Jan. 28.—Yesterday, two men calling themselves John Higgins, and John McDermitt, were detected in placing pieces of wood upon the rails, on the most unfrequented part of the Railroad. The train of cars being under great way, they expected to make good their retreat; but the engineer brought up handsomely, and the two gentlemen were taken on board by the passengers.—They have been delivered into the hands of the law. We think this will prove a warning to others, for we understand that the engineer has been compelled to bring up, on several other occasions, in order to remove the obstructions maliciously placed on the ways. The offence is punishable by imprisonment for one year, and a fine of one thousand dollars.—[Louisiana Adv.]

Levi Hubbell, of Canandaigua, Ontario county, has been appointed by the Governor, Adjutant Gen.

eral of this State, vice Gen. John A. Dix, promoted.

MOST MELANCHOLY.—Double Suicide.—Yesterday morning, (says the Boston Transcript of Tuesday) the bodies of Mr. John Carter and Mrs. Mary Bradlee, were found suspended in the first chamber of her father's (Mr. Samuel Bradlee's) store, on Washington street. They were hanging, each in a handkerchief, tied to the same rope, and fastened to the hook of a scale-beam. They had mounted on two chairs, and it appears that Miss B. being shorter than Mr. Carter, they placed a box on her chair to elevate her to his height. It would seem that they had embraced each other, and then pushed away the support, as they were found hanging in close contact, face to face.

Mr. Carter served his apprenticeship with Mr. Bradlee, and left him about three years since for N. lease, where he entered into business. Mr. Bradlee wrote to him some time last summer, requesting him to return and enter his store as an assistant in his business, offering him favorable terms. Mr. Carter returned, took his post and renewed a former intimacy with the daughter, to whom he was generally admitted to be betrothed, and permitted to visit and accompany her accordingly. Mr. Bradlee desired to retire from business. Mr. Carter entered into an unsuccessful negotiation to purchase the "stock and stand," with a view to immediate marriage. Not being able to accomplish his wishes, he resolved to return to New-Orleans and renew his business there. Miss Bradlee was anxious to accompany him, but her parent's refused their consent. The lovers were rendered mutually unhappy, and in an hour of madness resolved to terminate their existence. The result we have told.

They left Mr. Bradlee's house yesterday afternoon, under pretence of going to Trinity Church. Their parent's worship at Mr. Pierpont's church.—No alarm was felt for the absence of Miss Bradlee, as she was in the habit of accompanying Mr. Carter to his father's house, and often remained there over night with his sister. There are duplicate keys to the store, one of which Mr. Carter used.

When the lad, whose duty it is to open the store, went there this morning, he found that by inserting his own key, he knocked out the other, which was on the inside. On entering the store, he found Mr. Carter's cloak on the counter, and thought all was not right, but did not go into the chamber, where the bodies were found, until some time after. Mr. Carter left two letters, one directed to his father, the other to Mr. Bradlee; Miss B. left one directed to her father, and all three were enclosed in one package.

Mr. Bradlee is truly a bereaved and heart broken man. But a short time since, his son and partner died of consumption; and last summer he lost another child by the parting of a wheel tire, as she was looking out of a carriage window in which they were returning from the country.

A coroner's jury was immediately summoned and an inquest held upon the bodies of the deceased.—Their verdict was that they came to their death by hanging themselves by the neck, by mutual agreement.

One of the news carriers states that about one o'clock, yesterday morning, he heard, as he was passing the store of Mr. Bradlee, the sound of voices within, and saw a light in the second story of the store.

PENSACOLA, Feb. 1.—Loss of Brig Mary McDonald. On Tuesday night last during a very severe wind from S. by W. the English Brig Mary McDonald. Captain Wallace, was drove ashore on Santa Rosa Island, near this place. She was bound from Porto Cabello to Mobile with a cargo of Copper Ore. In a conversation with the Captain this morning, we learn that nothing will be saved except her sails and rigging, but that no life was lost.

NEW-BEDFORD, Feb. 16.—Distressing Accident.—Yesterday morning between 10 and 11 o'clock, as Mr. William Russell, Jr. one of our most enterprising citizens, was in his grist-mill explaining to a person the nature of some improvement he had been making in his machinery, the skirt of his coat was caught in the cogs of the wheels and he was drawn in and crushed immediately to death. The accident was so sudden that the person with him was unaware of any thing extraordinary having occurred, until he looked around and saw the lifeless body mangled in a shocking manner. Not a groan was heard, the departure of life was so instantaneous. Mr. R. was in the 68th year of his age, and was respected by all who knew him.

Fire at Salisbury, N. C.—The Western Carolinian, printed at this place, says, under date of the 4th inst. "On Monday night last, all that part of Concord st. between the Court House and the Tavern of Mrs. Mahan, was consumed by fire. We have not yet learned all the particulars of the fire.

Female Courage and Presence of Mind.—A letter from a gentleman residing near Smithville, Brunswick county, N. C., published in the Fayetteville Journal, relates the following interesting circumstance:—

"A short time ago, in the vicinity of Smithville, a negro man (Joe, the property of old Captain Brown,) went to the house of a Mr. Daniel Bonnet, in his absence, with the intention of committing an assault. Mrs. Bonnet was in the house when he entered, and he made known his intentions to her. She immediately rose up, when he threw his arms around her; she however by her exertions got rid of him for a moment, when he went to a large crack in the house to see if any person was approaching. While he was in this position, she seized a gun which was loaded with buck-shot, and shot him dead on the spot. She immediately communicated to her neighbors what she had done. A Coroner's Inquest was held, when she appeared before the Jury and swore that she had done the deed, and why she did it."

The ambassador of Virginia, Mr. Leigh, has declined to be considered "the guest" of the city of Charleston, and also the public dinner offered him. He was about to return to the nation of Virginia. The Telegraph, in reference to this mission, says, on the authority of private letters, that the Convention of South Carolina would be reassembled soon after the adjournment of Congress,—about the 9th of March, probably,—in order to answer Virginia.

A correspondent of the Norfolk Beacon, writing from Charleston under date of the 5th, says:

A gentleman has just informed me that an attempt was made yesterday to administer the *Test Oath* to the City guard, but every one refused to take it; consequently, they were all discharged, and the City guarded last night by a volunteer company.

An inquest was held yesterday, at Whitehall, on the body of Wm. Brown, a foreigner, aged about 30 years. Brown was one of the hands of the news-boat Eclipse. In attempting to go on board the schooner on Friday evening, he fell in the water in Counties Slip, and before any assistance could be rendered, was drowned. His body was taken out of the water yesterday morning.—[Mercantile.]

Fire at Baltimore.—BALTIMORE, FEBRUARY 14.—This morning, about 2 o'clock, the large building corner of Baltimore and Calvert-street, occupied in the upper stories by Peale's Museum, was discovered to be on fire. The Fire Companies succeeded in extinguishing the flames in season to save the lower part of the building, but the Museum was very badly injured. From the articles composing it and the situation in which they were placed, it could hardly be otherwise. A very complete collection of anatomical figures in wax, valued at \$10,000, were among the curiosities of this collection, and were badly, if not ruinously injured.

The following particulars are from the Baltimore Patriot of Thursday evening:

Before the fire was got under the first and second stories were burnt out, and from the great masses of water thrown into the edifice, much damage has been done to the other parts of it.

The occupants of the first, or ground story, have received no injury by the fire—but PEALE'S MUSEUM, which filled all the upper rooms, is nearly, if not quite destroyed. Many, however, of the most valuable Paintings, were taken out and secured.

We should suppose that not less than \$10,000 would cover the loss on the building and perhaps \$7000 on the Museum. Insurance more than amply to cover both, we learn, have long since been effected at the Baltimore and the Firemen's Insurance offices.

It is hoped this calamity will afford another incentive to diligence and care, in examining the roofs of houses whenever a chimney shall have been on fire.—[Correspondence of the Journ. of Com.]

Reverse of Fortune.—The Sunderland, England, Herald says:—Would any of the gay gentry of these parts deem themselves honored and above their fellows, had they "tripped the light fantastic toe" with royalty? There is at this very moment, while I write, a female casting coal into my cellar, (the wife of a naval officer deceased) who once danced with King George the Fourth.

STATE OF DELAWARE.—We published some days ago a series of resolutions adopted by this State, setting forth the advantages that would accrue to her from a cession by Maryland of all the Eastern shore. The Baltimore American thus comments on these resolutions:

Delawarean sovereignty is as true an entity as South Carolina sovereignty—and the notion "swells her." The "giant" heart expands, and her body feels keenly the fetters which keep down the "magnanimous" spirit of a "sovereign" state—a "nation" which, as has been assumed by Gov. Hayne of South Carolina, has the right to do all acts which "any prince, potentate or power," may of right do. So large a pretension ought to be sustained by at least some show of strength, even if it be not an army of twelve thousand volunteers. She has therefore cast longing eyes upon the territory of her neighbors;—she requires a frontier worthy of her sovereignty, and the Chesapeake Bay is her Rhine, and the Eastern Shore of Maryland, what Belgium is to France—except that France is vastly more large and populous than Belgium, while Delaware is stretching her hand over a territory twice as large and containing one-third more population than herself. The modesty of the proposal, we suppose, is to be attributed to the magic of that word "sovereignty," which makes the three counties on the Delaware shore entitled to call upon the eight counties on the Chesapeake shore to come to them. But for that, we might suppose the more natural proposal would be for Delaware to abdicate her sovereignty and throw herself and her population into the arms of Maryland. We are very sure that strong arguments might be advanced for such a course, and among the strongest, that it would obtain for us in Maryland, what we so much need, a new and republican constitution.

Seriously speaking, the proposal is an extraordinary one, involving a number of curious questions of constitutionality and expediency. Of the motives with which it is made, there are diverse opinions, but of the manner in which it will be received, there can be no doubt. It is too sudden and unthought of by the people, to be entertained now, even if the advantages were many and more obvious than our neighbors of Delaware can without doubt make them appear.

Girard College.—At a joint meeting of the Select and Common Councils of the City of Philadelphia, held, according to Ordinance, on Monday, the 11th of February, 1833, the following named persons were elected:

Directors of the Girard College.

1. Nicholas Biddle,
2. George B. Wood, M. D.
3. Thomas M'Euen, M. D.
4. Wm. H. Keating,
5. Richard Price.
6. Benj. W. Richards,
7. Thomas Dunlap,
8. Charles Bird,
9. Joseph M'Ilvaine,
10. George W. Toland.
11. John M. Keagy, M. D.
12. Wm. M. Meredith,
13. Algernon S. Roberts,
14. Capt. John Steele,
15. John C. Stocker.

As soon as the election was completed, the Clerks of the Select and Common Councils divided, by lot, the names of the persons chosen, into three classes of five each, according to the preceding arrangement—the first FIVE, to serve ONE YEAR, the second to serve TWO YEARS, and the third to serve THREE YEARS.

NEW-YORK AMERICAN.

FEBRUARY 14, 15, 16, 20, 21, 22—1833.

LITERARY NOTICES.

LE DUC DE REICHSTADT: Notice sur la vie et la mort de ce Prince redigée à Vienne, sur des documents authentiques: par M. DE MONTBEL, ancien Ministre du Roi Charles X.: à PARIS, Le Normant.—A life of the son of Napoleon, the King of Rome, the heir of the mightiest empire of modern days, written in Vienna by an exiled minister of Charles X., may certainly be ranked among the curiosities of literature. As such, and from the intrinsic interest

of the subject, we propose to say a few words about this Memoir to our readers. It is the first authentic account we have had of the disposition, habits, education and talents of young Napoleon; and compiled as this is from official documents and personal intercourse with those who lived in the familiar circle and intimacy of the Prince, it is undoubtedly authentic. "It belonged," says the Preface, "to a Frenchman driven by the tempest to Vienna, to gather up there recollections in which France has an interest. Wandering upon the shores of Egypt, it was an old Roman soldier who collected the ashes of Pompey." The analogy of the two cases is near enough to be striking; and though not French, we thank M. de Montbel for the picture he has drawn of this youth of such high destinies at his birth, of such overwhelming reverses, and so short and painful a career. The testimony of this book confirms that afforded by the physiognomy of the young Prince, and the general impression derived from public report, of his kind and amiable qualities; but in other particulars—especially as to his education—it dissipates much of false rumor circulated during the life time of this "son of the man." Instead of being neglected in his studies, or confined to particular branches, and kept carefully, as was supposed, in ignorance of the career of his father, he was it appears initiated into all the departments of knowledge; and as to the history of France, before and since the revolution, and under the Consulate, the Empire and the Restoration, there was no work in whatever spirit written he did not read. His predominant taste was military; his passion was for war; and every battle, every campaign of his warrior sire was familiar to him in all its details. The political character of Napoleon, his faults and achievements as a statesman, were examined and laid open for him by Metternich, who was especially charged by the Emperor of Austria with that duty. "I desire," said the Emperor, "that the Duke should respect the memory of his father; that he should take example by his great qualities, and learn to distinguish his faults in order to avoid them, and be on his guard against their fatal influence. Speak to the Prince of his father as you would wish to be spoken of to your son: conceal not from him, therefore, any thing that is true, but teach him to honor his memory." Owing to the peculiarity of his position, the unsettled state of Europe, and his own aversion to be the object of intrigues, as well as from his youth, he lived retired in the midst of the imperial family. His mother he did not see from the time he was four years old till she came to close his eyes at twenty-one. For the Emperor Francis he had both respect and affection, and was in turn tenderly beloved by him. To his governor, tutors, and young companions, he endeared himself very much by his truth, sincerity, and gentleness. Of perception not naturally quick, he accomplished by perseverance and attention more than those of readier intellect—but his physical power was unequal to the aspirations of his spirit—and he was restrained by the solicitous care of the Emperor Francis, from the military exercises, which were his greatest pleasure, but which fatigued and exhausted him. The disturbance which, in the early part of 1831, occurred in Parma and Placentia, fired his spirit, and he intreated permission to go and protect his mother. It was withheld: and he felt his life to be useless and sterile. It was shortly after this that M. de Prokech, distinguished alike for his military and scientific attainments, and to whom the Duke was much attached, was sent by the Court of Vienna on a mission to Rome—then alarmed and disturbed by the revolutionary movements in the Marches. The separation was painful to both.

On this occasion, the following letter to his friend and instructor, from young Napoleon, presents him, we think, in a favorable light:

[Translation.]

VIENNA, 31st March, 1831.

To-day, for the first time, since the commencement of our friendship, we are about to be separated for any considerable time. Days rich in action, and full of great events will doubtless pass before we meet again. For me, the sands of the glass will only mark perhaps a succession of onerous and sterile duties: perhaps honor and the voice of destiny will exact from me the most difficult of sacrifices,—that of the dearest wish of my heart, at the very moment when its accomplishment is presented to my eyes in such bright and seductive colors. But in whatever position Fortune may place me, rely upon me always: gratitude and friendship will ever bind me to you. The care you have taken of my military education; your courageous sincerity; the confidence you have granted me; and finally, our common sympathies, cannot but guarantee to you the duration of these sentiments. Friendship does not estimate keepsakes by their positive value, but renders them precious by deeming them so. Accept then, this watch: it is the first I ever wore; it has not left me for six years. May it only note for you hours always fortunate! May it indicate for you the moment of glory!—but in appealing to it, always remember, that it is you who taught me the true value of time, and the more difficult lesson still of waiting for it. If I comprehend the object of your mission, it is an affair that can scarcely occupy your faculties: but you who know the world and how to regard it, to you it presents an admirable opportunity of appreciating these revolutionary movements, in their nature and their connections, and of judging the actual strength of that nation in relation to the future: finally, you are going to that land which has left us an almost inapproachable model of power and greatness. I shall write to my mother and speak of you with all the warmth of feeling with which you have inspired your sincere friend,

F. DE REICHSTADT.

Taking this as the letter of a young man not yet twenty-one, and written in all the flow of friendship, it speaks well for his heart and understanding. In fifteen months from the date of it, that heart had ceased to beat.

Considering M. de Montbel's idolatrous attachment to the Bourbons, he has done justice to the Son of Napoleon, and what was more difficult, to Napoleon himself, when he had occasion to speak of him. A translation of this book, with judicious omissions of several portions which in no wise affect the main design, and can have little interest here, would, we think, be found attractive.

A BRIEF EXPOSITION OF THE CONSTITUTION OF THE U. STATES, WITH AN APPENDIX, by James Bayard.—Philadelphia: Hogan & Thompson.—This is another and valuable contribution to constitutional history, called forth by the events of the day. We rejoice in the multiplication of such publications as they multiply the chances of disseminating accurate knowledge respecting the origin and just powers of the Federal compact. In this little volume, a sensible introduction of about 20 pages explains the condition of the Colonies before and at the separation from Great Britain, and under the Articles of Confederation, of which the defects are concisely pointed out; then follows the Constitution, and after it an Exposition, article by article, of its provisions, with the interpretation which has been judicially given to most of them. The Appendix contains the Declaration of Independence and the Articles of Confederation; and a copious alphabetical Index facilitates reference to any desired topic.

MUSEUM OF FOREIGN LITERATURE, SCIENCE AND ART, for February.—The last number of this periodical combines a great variety of readable matter, selected with the usual discrimination of the conductor. Among other articles of interest, our attention is first attracted by one from the Foreign Quarterly Review, upon a subject of prevailing interest in this country, as well as abroad. A paper in that distinguished periodical, upon the present condition and future prospect of steam carriages, thus sums up:—

"The substitution of the power of steam for the strength of horses in propelling carriages, coaches, and wagons, has now been the subject of general and sustained interest for more than twenty years; the expectations, even of the less sanguine, have been raised periodically, and after intervals of nearly equal duration, to the full assurance of perfect confidence, by the reported and apparently entire success of some fortunate projector in effecting the complete solution of the grand problem; expectations that have only deepened the total disappointment by which they have been invariably succeeded. There is not at this moment, in this country or in any other, a single instance of a regular land communication satisfactorily sustained by steam. On common roads we have never seen any thing better than short-lived and unproductive experiments: on railroads (*chemins de fer*) they can scarcely be said to have been more successful. On the Liverpool and Manchester line they are only retained by an enormous sacrifice of money, and of the interests of the proprietors. The steam engines used on it are huge, disproportioned, clumsy masses of mechanism, better adapted in their size and structure to the staid and sober pace of an elephant, than to the rapid flight for which they are used; and though by being urged to the uttermost, they have attained velocities approximating nearer to aerial flight than earthly trudge, yet, like a cart horse goaded to a gallop, they founder themselves, and knock the road to pieces. From all that has yet been made public, we are only warranted to deduce this one conclusion—that every attempt yet made to render steam carriages the means of economical and regular inland communication has totally and absolutely failed.

"Reduced to this condition, it may be well to inquire into our prospects. Is there, we may ask, any peculiarity in the nature of land locomotion, to prevent that power which turns the wheels of a boat, from propelling with similar effect, the wheels of a britche? Is there any thing in the nature of a carriage so peculiar, that while a steam engine can do the work of a hundred horses, it cannot do the work of 'four-in-hand'? Have we attained the 'hitherto and no further' of the power of steam? Knowing, as we do, that the proposed substitution would bring about a great and beneficial change in the moral, political, and commercial state of the empire, are we at last, after hopes so long and so fondly cherished, so long pregnant with apparent fruition, doomed to discover that we have only been tantalized? Are we to find that we have been hunting after nothing more attainable, than an alchemist's stone for converting steel and steam into oxen and corn, and baking the bread of the poor from the dust of the highway? Is all the mechanical skill of Great Britain at last foiled? Is all her science, all her ingenuity, unequal to the evolution of this small problem,—with an engine of sixteen horse power, to propel a four horse coach? Where is the present race of the Bells, the Boltons, and the Watts? Can the government do nothing to foster the invention and bring it to maturity? These questions are serious: the answers to them weighty, all-important to us—to Great Britain. We think they can be answered fully and satisfactorily, so as to show, that not in the nature of the thing to be done, but in the mode of setting about it, is the cause of failure to be discovered. We may be able to detect in each invention omissions and elements of self-destruction necessarily involving total failure, and these not in mere details, but in the great principles of structure and arrangement."

Then follows a long and interesting account of the several steam engines which have been tried in England, with an account of their defects; and the reviewer proceeds:

"Here then we arrive at the conclusion of the whole matter. We find that the failures which have hitherto attended all attempts at the steam carriage have arisen, not from any necessary incompatibility between the nature of steam and this particular application of its power, but from the deficiency of the inventions that have been produced in some of the great elements of structure which we have shown to be essential to success; that it would have been easy, from the construction of these engines, to predict their failure, as we now predict the failure of all constructed on the same or on similar principles; that it was an error to suppose that they were deficient merely in practical details which further experience would supply; that every one of them contained elements of self-destruction; that they attained all the perfection of which they were capable; and finally, that success may yet be ex-

pected from such as may be constructed in compliance with the requisites we have pointed out."

These requisites are:—1. A light and strong boiler, exposing a large surface to the fire. 2. Such an application of the power of the steam as will not waste it—it is said that in consequence of the bends in the pipes, &c., a large part of the whole power is lost. 3. A different arrangement of the cylinders; or rather, a single cylinder should be used, as it is difficult to make two keep time, and the greater surface causes more rapid cooling. 4. An arrangement for supporting the carriage-body and the whole of the moving machinery upon perfectly flexible springs, so as to vibrate freely in every direction, and yet admit of being impelled forwards with uniform power and velocity. 5. To construct an engine of variable power like that of a horse, which shall proportion its exertion to the resistance to be overcome.

In another part of the Magazine, an article upon Taylor's "Records of My Life," supplies some entertaining extracts from that work. The anecdotes of John Kemble, particularly, with whom poor Jack Taylor, as he was called, was upon terms of intimacy, afford the following amusing gossip:—

I was in the habit of constantly visiting Mr. Kemble on a Sunday morning for many years, and if I saw him in the intermediate days, he always said, "Taylor, remember the hebdomadal." I found him generally with some book or manuscript before him relative to his art. Sometimes he was cold, negligent, and less courteous than at others; and then feeling disgusted, I resolved to forbear my visit the next week; but the pleasure I always found in his company overcame my temporary spleen. He was fond of Dryden, and sometimes read to me passages from that admirable poet. I do not think he was a good reader, for he generally read in a tone either too low or too high. There is obviously but one tone in reading or acting that excites the sympathy of the hearer, and that is the tone which feeling suggests and expresses; and such was the charm of Garrick, which rendered his acting in tragedy or comedy impressive in the highest degree. There were many of Kemble's visitors who made court to him by telling him of faults in Garrick's acting, or of the unsuitableness of his person for some of the characters which he represented: for instance, Sir Charles Thompson, afterwards Hotham, a respectable old baronet, told Kemble that Garrick always gave him the idea of a little butler. Kemble generally told me what was said to him of this kind, not as appearing to believe such remarks, but to know whether they received a confirmation from me. On such occasions, I never abated my reverence for Garrick, but always discountenanced such insidious flattery, and, to the best of my recollection and ability, asserted the wonderful powers of the departed actor. Kemble always listened to my panegyric on his great predecessor with apparent conviction; but I cannot help believing that he would have liked me much better if I had never seen Garrick.

Kemble, with all his professional judgment, skill, and experience, like all other mortals, was sometimes induced to mistake the natural direction of his powers, and to suppose that he was as much patronized by the comic as by the tragic muse. When I called on him one morning, he was sitting in his great chair with his night-cap on, and, as he told me, eased in flannel. Immediately after the customary salutation, he said, "Taylor, I am studying a new part in a popular comedy, and I should like to know your opinion as to the manner in which I am likely to perform it." "As you tell me it is a comic part," said I; "I presume it is what you style intellectual comedy, such as the chief characters in Congreve, Wycherley, and Vanburgh." "What do you think," said he, "of Charles, in the School for Scandal?" "Why," said I, "Charles is a gay, free, spirited, convivial fellow." "Yes," said he, "but Charles is a gentleman." He tried the part, but his gaiety did not seem to the town to be of "the right flavor." It was said by one of Mr. Kemble's favorable critics in a public print, that his performance was "Charles's restoration," and by another, that it was rather "Charles's martyrdom."

Another time he attempted a jovial rakish character in one of Mrs. Behn's licentious comedies, from which, however, he expunged all the offensive passages; but he was not successful. I met him one day as I was hurrying home to dress for dinner abroad; and he strongly pressed me to go and dine with him, alleging that as Pop (Mrs. Kemble) was out of town, he should be lonely and dull. I told

him: I was positively engaged, and should hardly be in time. "Well, then," said he, "I'll go home and study a pantomime." It is hardly possible to conceive so grave a character contemplating new tricks and escapes for harlequin, and blunders for the clown.

He had determined to act Falstaff; and I was in the green-room at Covent Garden Theatre one Saturday, when, after his performance of some character which I do not recollect, three boards were brought to him, that he might choose one for Falstaff. We were invited to dine the next day with the late Dr. Charles Burney, Rector of Deptford. Kemble took me in his chariot, and we talked on the road of his intended Falstaff. He said that he had resolved to attempt the part, but was afraid that when "he came to the point, his heart would fail him." A ludicrous incident happened at this dinner. The Doctor, in helping Kemble to part of a pudding, gave him a very large portion; which induced me to say, "Burney, you do not observe Kemble's rule in your ample allotment to him."—"What is that?" said the Doctor. "Why," said I, "when I last dined with him, I was as lavish as you in distributing a similar dish. Kemble said, 'Taylor, don't help so much to an individual, for if you do it will not go round the table.' Being somewhat in the habit of imitating Kemble, I spoke these words in his manner, forgetting that he was before me." "Now," said Kemble, "he thinks he is imitating me—I appeal to the lady," and these words he delivered so much in the manner which I had assumed, that Mrs. Burney and the Doctor could not help laughing; Kemble gave way to the same impulse, and I was relieved from embarrassment.

I was one night in a box with him when the theatre was illuminated preparatory to the opening for the season, and a Mr. Rees was employed to give imitations, in order to try the effect of the voice. Kemble was one of the persons imitated; and while the man was delivering an imitation of him, Kemble, in a little above a whisper, knocking his stick on the ground, said, with perfect good humor, "Speak louder, you rascal, speak louder." The man did not hear, nor did Kemble intend he should.

POETRY.

The following lines, expressive of deep and well-founded indignation against the projected "improvement" through Trinity Church-Yard, are softened down and modified from some which under the title of "The Curse of the troubled Dead," we objected to on Tuesday, as "unchristian." In using that epithet, however, we beg the unknown writer to understand us as referring not to the poet, but to the painful impressions produced by the wrath of the maledictions ascribed to those for whom the grave was not permitted to be a place of rest. Even as now given, these forcible lines will make strong natures shudder:—

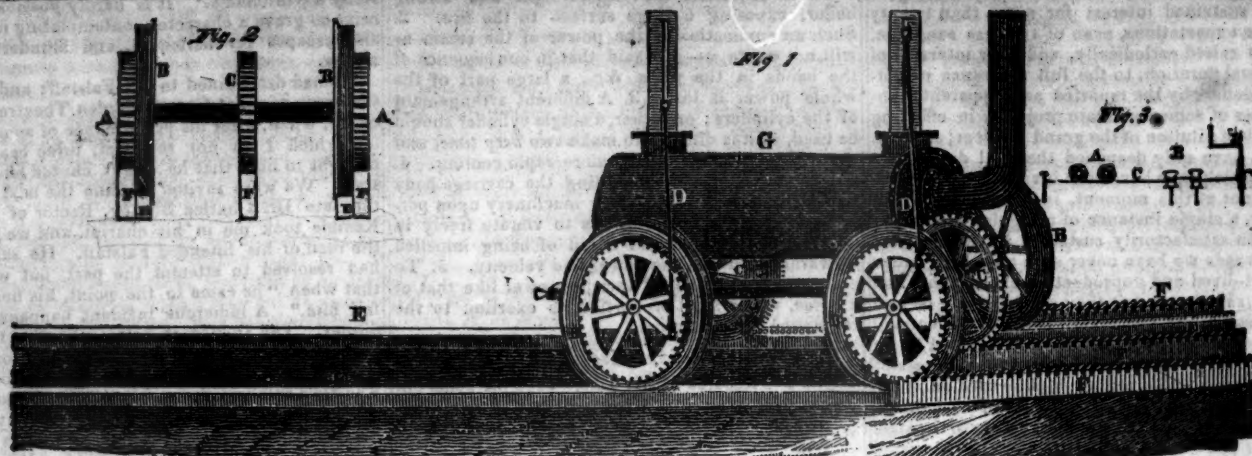
[FOR THE NEW-YORK AMERICAN.] THE ORACLE OF THE TOMB—TO THE SACRILEGIOUS VIOLATOR OF ITS SANCTITY.

"It is as if the dead could feel
The icy worm around them steal,
Without the power to scare away
The cold consumers of their clay."—BYRON.

Hyena, hence! break not the hallow'd sod,
That covers those whose spirits are with God;
There is a deep unearthly awe impress'd
Where'er the "dead" in solemn silence rest,
And black the hand, and hard the heart that dare
Intrude like an apostate Judas there.
Should the "Lazarus" in wrath be sped
With justice stern on the monster's head—
The dust of the parents who gave him birth,
Will be savagely trampled with common earth;
Their bones—once the pillars of temples so dear,
E'en as on their ruins must look with a tear,
Will be rudely uncoffin'd, and toss'd to the wind,
Till not their least trace can his agony find:
When the wife of his bosom in death shall sleep,
On her rest will the vile Resurrectionist creep,
And rending her corpse from its hallow'd mould,
Unearth it and sell it to Surgeons for gold.
Her form, just array'd in the drapery of death,
And her lips, scarcely cold from their last warm breath,
Will be torn in the lingering beauty of life,
And mangled, unwept—by the merciless knife:—
Nay, his sweet little babe, in its waxen repose,
While yet with the smile of a cherub it glows,
From its grave by the spade of the slave will be thrown;
And its ringlets of gold o'er the pavement be strown;
Then its delicate limbs will the cartmen drive o'er,
And laugh him to scorn if he feign to deplore,
Till his heart, if he have one, is broken with grief,
And shudders to death as its only relief.
Then, will he be left on the cold earth to rot,
Unburied, unshrouded, unwept—not forgot!
For the marble will brand, with its memory of years,
The wretch whose corruption mock'd pious tears,
And, baser than heathen barbarians of old,
Through the graves of his fore-fathers quarried for gold.

TRINITY CHURCH-YARD.

* "An eye for an eye, and a tooth for a tooth." In common parlance, Retributive Justice.
The pity I to others show,
That pity show to me."



To the Editor of the Railroad Journal:

SIR: Will you have the goodness to give the following a place in your valuable paper, viz.—A Description of an Improvement made by Richard Berrian, of the city of New York, on the Locomotive Engine, as well as the Rails on the Road. The power gained on the present principle over the former is more than double; it will ascend and descend hills and mountains, on inclined planes, at the most freezing and slippery season of the year; it is secured by safety guards attached to the same; if any thing should give way in going up or down hill, it will stop itself in an instant of time, without injury to either passengers, freight, or cars. On the above principle, thousands and tens of thousands of dollars may be saved, in consequence of not being under the necessity of digging and cutting down hills and rocks, or mountains, to a level: to do which would be a herculean task that very few Companies would be willing to undertake. The power gained on this principle, it must be evident to every discerning mind, is in

proportion to the diameter of the small cogged wheels, and the cranks that are on the axle which turn the same. The Locomotive Engine may either run on the double or single cogged Rails; the latter is the most simple, and the expense is more than one half less, viz. by fitting a small cogged wheel on the centre of the axle, cranked at each end, and placing it under the bottom of the Locomotive Engine, to receive the arms of the same, and the small cogged wheel to run in the cogs of a single Rail laid down in the centre of the inclined planes, between the ways for that purpose, and to be propelled by the steam of said Engine.

The centre wheel or wheels that run under the Locomotive Engine, may be cogged with either wood, iron, or steel, the two latter well sharpened, and made to spring; the cogs to be made in any shape or form, so as to run into each other with ease. On this plan it is intended to prevent the wheels from slipping in passing over hills and mountains, wherever there is snow, ice, or clay. You may run on either rails, plates, rods, turnpikes, m'adamized, or

even the common roads. Whenever they are fitted for that use, it is presumed that they will answer a valuable purpose. By examining the model minutely the advantages will more fully appear.

The subscriber having received a patent from the honorable the Secretary of State, he now offers his patent right on the above principle for sale, either to companies or to individuals, for the use of any of the roads in the United States. A commission of twenty-five per cent. will be allowed to agents throughout the United States, on all sales made agreeable to my wish.

RICHARD BERRIAN.

A spring wheel may be seen in operation on the inclined plane at No. 448 Broome street; where also may be seen a drawing of a spiral wheel, intended to run under the bottom or guards on either side of a canal boat, by steam or otherwise: it is expected that her speed will be from seven to ten miles per hour, without doing the least injury to the canal.

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MARRIAGES.

On Tuesday evening, 19th inst., by the Rev. Mr. Mitchell, Thomas Lee, M. D., of Camden, N. J., to Catharine E. Tylee, of this city.

On Thursday evening, 14th instant, by the Rev. Dr. Thomas Macaulay, Edwin C. Read, to Miss Catharine L. Day, both of this city.

On Tuesday evening at Brooklyn, L. I. by the Rev. Walsh, Michael Bourne, to Miss Mary Austin, both of that place.

On the 11th of December last, by the Rev. Joseph D. Wickham, Mr. Ackley Fach, to Miss Anne E. Ludlow, daughter of the late William C. Ludlow, Esq.

DEATHS.

On Saturday evening, after a short illness, Mr. Benjamin McCready, in the 49th year of his age.

On Sabbath morning, between 11 and 12 o'clock, after a severe indisposition, which he sustained with christian magnanimity, the Rev. Dr. Alexander McLeod, Pastor of the Reformed Presbyterian Church in Chamber street, in the 58th year of his age, and 33d of his ministry.

On Friday evening, 18th inst., of a lingering illness, William Weyman, in the 62d year of his age.

On Wednesday evening, 18th inst., of apoplexy, Walter D. N. Cook, in the 33d year of his age.

On Thursday evening, 14th inst., after a short illness, George Elliott Taylor, in the 33d year of his age.

This morning, after a short illness, William, son of Moses Tucker, in the 4th year of his age.

At Suffield, (Conn.) on the 19th instant, Mr. Horace Warner, aged 41 years.

At Baltimore, on Thursday 14th instant, William Norris, aged 59 years.

At Constantinople, on the 12th November, Henry Eckford, in 56th year of his age.

On the 15th instant, at Bennington, Vermont, Mrs. Ann Robertson, relict of the late Jonathan E. Robinson, formerly of this city.

On Monday, Feb. 18, in Albany, Mrs. Sarah Knower, wife of Benj. Knower, Esq., in the fifty-fourth year of her age. The suddenness of her death adds poignancy to the sorrows of all who knew this amiable woman. She was yesterday in her usual health, attended church in the morning, and was on her way to it in the evening, when she fell in the street, and was taken up in a state of insensibility. — [Eve. Jour.]

WEEKLY REPORT OF DEATHS.

The City Inspector reports the death of 108 persons during the week ending on Saturday last, Feb. 16th, viz.:—36 men, 18 women, 24 boys, and 29 girls—of whom 32 were of the age of 1 year and under, 10 between 1 and 2, 7 between 2 and 5, 5 between 5 and 10, 3 between 10 and 20, 11 between 20 and 30, 16 between 30 and 40, 12 between 40 and 50, 5 between 50 and 60, 4 between 60 and 70, 4 between 70 and 80, and 1 between 80 and 90.

Diseases.—Apoplexy 4, asthma 1, burned or scalded 1, casualty 1, cholera 1, consumption 33, convulsions 10, diarrhoea 1, dropsy 4; dropsy in the chest 1, dropsy in the head 7, drowned 2, dysentery 1, fever 3, fever bilious 1, fever scarlet 2, fever typhus 1, hives or croup 4, inflammation of the bowels 6, inflammation of the chest 1, inflammation of the liver 1, intemperance 2, marasmus 2, nervous diseases 1, old age 2, peripneumony 7, pneumonia typhoid 1, sore throat 1, spasms 1, stillborn 2, tabes mesenterica 1, teething 2, unknown 1, whooping cough 1, worms 1.

ABRAHAM D. STEPHENS, City Inspector.

GARDEN SEEDS, &c.



WM. PRINCE & SONS, Flushing, near New-York, have imported by the last arrivals several thousand dollars worth of Seeds of the choicest varieties of Vegetables known in the different countries of Europe, and will furnish supplies to venders at very reasonable rates. These seeds are of a quality not to be surpassed. They have also 200 pounds Yellow Locust, or Robinia Pseudacacia seeds, of the fine Long Island variety, so celebrated for ship timber, at a low price.

Priced Catalogues will be furnished on application direct, per mail, or otherwise. Catalogues of Fruit Trees, Greenhouse Plants, &c. with the reduced prices, will also be sent gratis to every applicant. feb20

TOWNSEND & DUFFEE, of Palmyra, Manufacturers of Railroad Rope, having removed their establishment to Hudson, under the name of Duffee & May, offer to supply Rope of any required length (without splice) for inclined planes of Railroads at the shortest notice, and deliver them in any of the principal cities in the U. States. As to the quality of Rope, the public are referred to J. B. JERVIS, Eng. M. & H. R. R. Co., Albany; or JAMES ARCHIBALD, Engineer Hudson and Delaware Canal and Railroad Company, Carbondale, Luzerne County, Pennsylvania.

Hudson, Columbia County, New-York, January 29, 1833.

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PATENT RAILROAD, SHIP AND BOAT SPIKES.

THE TROY IRON AND NAIL FACTORY keep constantly for sale a very extensive assortment of Wrought Spikes and Nails, from 3 to 10 inches, manufactured by the subscriber's Patent Machinery, which after five years successful operation and now almost universal use in the United States (as well as England, where the subscriber obtained a Patent,) are found superior to any ever offered in market.

RAILROAD COMPANIES MAY BE SUPPLIED WITH SPIKES having countersink heads suitable to the holes in iron rails, to any amount and on short notice. Almost all the Railroads now in progress in the United States are fastened with Spikes made at the above named factory—for which purpose they are found invaluable, as their adhesion is more than double any common spikes made by the hammer.

All orders directed to the Agent, Troy, N. Y., will be punctually attended to.

HENRY BURDEN, Agent.

Troy, N. Y., July, 1831.

Spikes are kept for sale, at factory prices, by I. & J. TOWNSEND, Albany, and the principal Iron Merchants in Albany and Troy; J. I. BROWER, 222 Water-street, New-York; A. M. JONES, Philadelphia; T. JANVIER, Baltimore; DEGRAND & SMITH, Boston.

P. S. Railroad Companies would do well to forward their orders as early as practical, as the subscriber is desirous of extending the manufacturing so as to keep pace with the daily increasing demand for his Spikes.

j23 lam

H. BURDEN.

SURVEYORS' INSTRUMENTS.

Compasses of various sizes and of superior quality, warranted.

Leveling Instruments, large and small sizes, with high magnifying powers with glasses made by Troughton, together with a large assortment of Engineering Instruments, manufactured and sold by E. & G. W. BLUNT, j31 6t 154 Water-street, corner of Maidenlane.

PAPER.

THE SUBSCRIBERS, Agents for the Saugerties Paper Manufacturing Company, have constantly on hand an extensive assortment of Royal, Medium, and Imperial Printing Paper, all made from first quality Leghorn and Trieste Rags. All contracts made after this date, will be furnished with 480 perfect sheets to the ream; and all sales amounting to over \$100, of Medium or Royal, out of the part of the stock which includes cassia quires, the purchasers will be allowed an extra quire of perfect paper to each double ream, with additional allowances to the publishers and the trade, who buy largely. The terms will be liberal. Apply to GRACIE, PRIME, & CO., 331 22 Broad Street.

GRACIE, PRIME & CO., 22 Broad street, have on hand the following Goods, which they offer for sale on the most favorable terms, viz.

200 qr casks Marcelline Madeira, entitled to debenture.
100 cases White Hermitage;
50 do. Bordeaux Grave
4 cases Gum Arabic
2 cans Oil of Orange
8 cases French Madder, ESFF
2 do. do. SFF
10 do. Danish Smalts, FFFE; 90 do. Saxon do.
8 do. small do.; 20 kegs Tartaric Acid
200 kegs Saltpetre
200 bales superior quality Italian Hemp
20 tons Old Lead
300 barrels Western Canal Flour
500 do. Richmond country do.
100 bales Florida Cotton; 20 do. Mexican do.
20 do. Sea Island do.
280 do. Leghorn Rags, No. 1.
100 do. Trieste do. SPF
100 do. do. do. FF
18 boxes Maraschino Cordials
350 lbs Coney and Hares-back Wool, for Hatters
80 M. English Quills.

DRY GOODS, BY THE PACKAGE—

20 cases white and dark ground, fancy and full China Prints, all new styles, received per Napoleon.
9 do. assorted colored Circassians
18 do. do. do. Merinos
5 do. Italian Lustrings
1 do. 36 inch Cravats
10 do. Jet black Bombazines
8 do. Printed border Handkerchiefs
2 do. White Diamond Quiltings
2 do. Furniture Dimities
2000 pieces Engl. Brown Shirtings, 33 in.

entitled to debenture.